GEORGE W. BUSH, TORTURER IN CHIEF • DAVID COLE

THE Nation.

THE MONEY & MEDIA ELECTION COMPLEX

JOHN NICHOLS & ROBERT W. McCHESNEY

ALSO:

A PROGRESSIVE GAME PLAN

KATRINA VANDEN HEUVEL & ROBERT L. BOROSAGE

NOVEMBER 29, 2010
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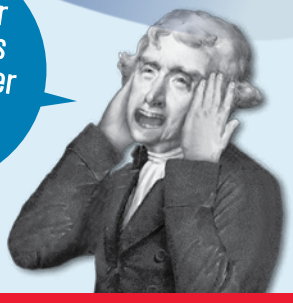
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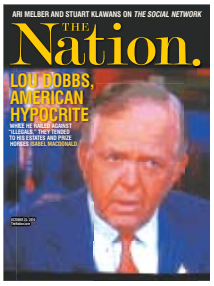

Hobnobbing With Lou Dobbs

Isabel Macdonald's "Lou Dobbs, American Hypocrite" [Oct. 25], and her subsequent media appearances, drew a barrage of mail, positive ("informative, well-written article"; "Ms. Macdonald, will you marry me!") and negative ("the biggest crock of bullcrap"). Herewith, a sample. —*The Editors*

Tempe, Ariz.
Isabel Macdonald, my new hero! Way to stick to your guns. I wish all writers would show half the guts!
Christopher Hill

Bronx, N.Y.
Awful, despicable, an example of the worst sort of libel—perpetrated because you feel shielded by the First Amendment. *Who* is the hypocrite? Disgusted,
Arthur T. Dallas

Gilroy, Calif.
I'm an antiwar, prochoice, prounion, pro-environment, pro–gun control Vietnam veteran, and I especially believe that a man (or woman) is innocent until proven guilty. Obviously, your rabid, pathetic excuse for a "reporter," in her attempt to assassinate the character of Lou Dobbs with no evidence (only hearsay) to support her claim—her own version of yellow journalism—does not share such values. Cancel my subscription to your magazine; no longer can I trust what your reporters write.
Thomas Lister

San Francisco
Isabel Macdonald did an awesome job on her article and TV appearances, and debating the disgusting Lou Dobbs.
Hispanic/Latino Anti-Defamation Coalition

Watertown, Wis.
Lou Dobbs's duplicity reminds me of members of Congress in Abe Lincoln's time, voting to abolish slavery while using slave labor at home for everything from cooking and cleaning to picking cotton.
Catherine A. Morency

letters@thenation.com

Bow, Wash.
Lou Dobbs says he is being "attacked" by *The Nation* as a fundraising mechanism. It works for me! I'm glad to subscribe and support this type of investigative reporting. Congratulations to *The Nation* and to Isabel Macdonald for truly courageous work—and for exposing this hypocrite.
Kate Anderson

Atlanta
Lou Dobbs denies employing illegal immigrants. They may not be under his roof, but he knows they are being employed by some of the companies he deals with. Such a hardliner should take his horses out of any competition where there is illegal activity.
Larry Santos

Montrose, Colo.
C'mon folks, as much as I dislike Lou Dobbs and his ilk, it really is not his responsibility to check out the status of a contractor's employees! If I hire a roofing contractor or a plumber, it is *not* my responsibility to check whether his employees are "legal." I understand that this is a complicated problem. I don't have the answers, but I feel this is an unfair accusation.
Larry Sims

West Grove, Pa.
Ask Lou Dobbs if he intends to look into the matter of his using illegals. If he says no, he's proclaiming that he is unconcerned and above the law. If he says yes, he's admitting to his oversight and hypocrisy.
H.K. Peters Jr.

Granbury, Tex.
Thanks to Isabel Macdonald for exposing Lou "hypocrite" Dobbs. Time and time again we see the loudest voice against something is neck deep in it!
Jeff Hanson

Rohnert Park, Calif.
Isabel Macdonald refers to stable hands riding in vans with horses. Riding with

(continued on page 24)

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The Real Mandate

Nancy Pelosi says she wants to continue leading House Democrats because she is "driven by the urgency" of creating jobs and protecting healthcare reform, financial regulation, Social Security and Medicare. She's got her priorities right. Now the soon-to-be-former speaker must get the politics right. The place to begin is the lame-duck session of Congress. The period after an election is not set aside for rearranging furniture; Congress sits for two years, not twenty-two months, and it's supposed to do its job for the entire term. That doesn't mean Democrats should be blind to the election results; to the contrary, they should respond to them—while getting things done for the American people.

EDITORIAL

The fundamental issue of the 2010 election campaign was jobs. The campaign played out in the shadow of an almost 10 percent official unemployment rate and an unofficial rate (counting those who are underemployed or who have given up looking for work) closer to 17 percent. Every exit poll said voters were concerned about caring for the unemployed, promoting job creation and taking steps to develop a twenty-first-century economy that benefits working families.

That's why Pelosi is smart to link the defense of healthcare reform, financial regulation and long-term commitments to maintaining Social Security with the need to create jobs. She can highlight the linkage during the lame-duck session by focusing on fundamentals: extending unemployment benefits, shoring up Medicare and Medicaid, and assuring that a stopgap spending bill contains funding not just to keep the federal government operating into the next year but to help state and local governments and school districts across the country do the same. These are all popular initiatives; Pelosi and Harry Reid—who still controls the Senate for the next two years—have no reason to accept the conventional wisdom that the election produced a mandate for conservative ideas, neglecting the plight of jobless Americans, cutting social services or forcing teacher layoffs in the middle of the school year.

Of course, the Republicans and their amen corner will screech about spending. Good. Democrats should take the moment to argue for letting the Bush tax cuts expire and using the new revenue to maintain federal, state and local services in tough economic times. President Obama has made the task harder by sending signals about compromises on the tax issue, but if compromise is necessary, the only credible one is giving relief to working families—not billionaires. The American people will get the point if Democrats make it aggressively and without apology.

Pelosi should also move the Fair Elections Now Act onto the floor for a vote, advancing a debate on an issue that Republicans don't want discussed. We just finished the most expensive midterm election in US history; shouldn't House and Senate committees hold hearings to look at how much was spent by corporations and billionaires, at the impact of that money on the elections and at the influence it will have on government? Republicans will scream, and incoming House Oversight chair Darrell Issa will surely shut down those hearings in January while opening hundreds of investigations on Democratic reforms. Bring it on. In her new role as minority leader, Pelosi could use her bully pulpit to ask essential questions. What is the GOP trying to hide? What do Republicans want to roll back? That's a fighting stance, not a surrender position. And it's one Democrats should maintain through the lame-duck session and into the 112th Congress.

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The Torturer in Chief

In an uncoerced confession in his new memoir, *Decision Points*, former President George W. Bush proudly admits that he personally signed off on the waterboarding of Khalid Shaikh Mohammed in 2003. Former Vice President Dick Cheney made the same admission in a televised interview shortly before he left office. In one sense, this is nothing new. It had long been reported that the CIA's use of what the Bush administration euphemistically called "enhanced interrogation techniques" had been approved at the highest levels of the administration. But now both Bush and Cheney have publicly admitted to specifically signing off on the CIA's torture tactics. Their direct personal admissions now seal the case against them.

COMMENT

What case, you might ask? There is in fact no criminal or civil case against the former president or vice president for these actions. And both men no doubt felt comfortable admitting they had authorized what the world recognizes as torture because they believe they are politically immune from being held accountable. Even before the midterm elections, Barack Obama had insisted that he wanted only to look forward, not backward. With a strengthened Republican Party after the elections, it is even less likely that Bush or Cheney will be held accountable by the Obama administration. On November 9 the Justice Department announced that no criminal charges would be brought against the CIA agents who destroyed videotapes of the torture interrogations; that part of the cover-up, it seems, has succeeded.

But Bush and Cheney are not immune. In fact, the United States is legally obligated by the Convention Against Torture, a treaty we helped draft, and have signed and ratified, to investigate any credible allegations of torture by a person within US jurisdiction. And if the United States does not take action, other nations are authorized to do so, under the principle of "universal jurisdiction," which treats torture as so heinous that its perpetrators can be investigated and prosecuted by any country if their own country fails to take corrective action.

Chile's former President Augusto Pinochet found this out the hard way. After flying to London for medical treatment, he was served with an arrest warrant issued by a Spanish magistrate investigating him for, among other things, authorizing torture. Pinochet argued that he was immune from such action as a former head of state, but Britain's highest court rejected that plea, and Pinochet was placed under arrest. He was eventually sent back to Chile on medical grounds, but he spent the last years of his life there fighting criminal charges arising out of his acts as president.

Investigating and arresting the former president of Chile is one thing. Investigating and arresting the former president and vice president of the United States would be another matter altogether. No doubt Bush was relying on just that calculation in admitting his guilt in his memoir. And it may be that Bush and Cheney are deliberately admitting their crime at a time

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Noted.

LA LAW: On November 5, former Oakland transit officer **Johannes Mehserle** was handed a two-year sentence for killing **Oscar Grant**, the 22-year-old African-American man who was shot in the back as he lay, unarmed, on a train platform on New Year's Day 2009. Mehserle was convicted in July of involuntary manslaughter—the lightest verdict short of an acquittal—and the paltry sentence poured salt in an open wound for Grant's mother, **Wanda Johnson**, who cried, "He got nothing!" as she left the courtroom.

The hearing marked the end of a legal chapter that **Colorlines** magazine described as a "roller coaster ride." On the one hand, that a white police officer was found guilty for the killing of an unarmed black man was historic for Los Angeles, where the trial took place. On the other, the verdict was undermined by the minimum sentence, which was almost exactly the same as the one NFL quarterback **Michael Vick** received for running a dogfighting ring. In addition to dismissing a "gun enhancement" charge that carried up to ten years, Judge **Robert Perry** gave Mehserle credit for time served, meaning he could be free by next summer.

Oakland activist **Jack Bryson**, whose sons were with Grant that night, says he is "stunned" by the sentence. "When a black or brown man commits murder, he gets the maximum. He should have been treated like anybody else." The Justice Department has said it will conduct an independent review, but Bryson says the feds haven't contacted anyone. "I hope they will." LILIANA SEGURA

A NATIONAL CATASTROPHE: A new study from the **Council of the Great City Schools**, a coalition representing some of the country's largest urban public school systems, exposes an achievement gap much wider than expected for young black male students in America, calling it a "national catastrophe."

The study, "A Call for Change," shows that the inequalities start early: infant mortality rates are much higher for blacks than for whites, and one out of three black children lived in poverty in 2007, compared with one out of ten white children. Once in school, only 12 percent of fourth-grade black male students performed at or above proficiency levels in reading, compared with 38 percent of white males; and only 12 percent of eighth-grade black males performed at or above proficiency levels in math, compared with 44 percent of their white peers. Black males make up only 5 percent of the college student population, and the unemployment rate for black men is much higher than for white men.

"Black males are caught in a vicious circle," says **Doug Harris**, an education economist at the University of Wisconsin. "Some break out of it, through their own determination or their families or some dedicated teachers. But those cases are sadly rare." And while income inequality explains some of the achievement gap, Harris points out, "a very large gap remains."

The report urges the White House to convene a conference on the matter and encourages Congress to establish financial aid programs to close the achievement gap in public schools. KATE MURPHY

OK LAW NOT OK: When **State Question 755** (SQ755) passed with the support of 70 percent of Oklahoma voters on November 2, it seemed a new era of intolerance for Muslims had begun. The "Sharia ballot" stipulated that international and Sharia law would become *verboten* in the state's courts, emphasizing that state and federal law should be the only sources of judicial authority.

The initiative is largely fearmongering; proponents have been unable to find a single successful implementation of "stealth Sharia" in US courts. But it could result in discrimination against Oklahoma's estimated 30,000 Muslims. Within two days of the vote, **Muneer Awad**, executive director of the **Council on American-Islamic Relations** (CAIR) in Oklahoma, filed a lawsuit challenging the measure's constitutionality. Awad argues that the law would violate the First Amendment, which prohibits the state from "respecting an establishment of religion, or prohibiting the free exercise thereof." According to the organization, the measure would also infringe on the constitutional rights of Muslim Oklahomans to choose Islamic marriage contracts, be buried according to religious preference and implement Islamic wills.

Just four days later, District Judge **Vicki Miles-LaGrange** placed a temporary restraining order on the implementation of the law, leaving SQ755 in limbo until at least the end of November, when a preliminary hearing will take place. Miles-LaGrange could extend the suspension beyond that date, until a final decision is made on Awad's case.

"This turns the Constitution of Oklahoma into a vehicle for condemning [Muslims'] faith and for singling out the traditions of Islam for special restrictions, as though they are especially mysterious or dangerous," said CAIR's **Gadeir Abbas**. JENNIFER O'MAHONY

NBC'S DOUBLE STANDARDS: **Keith Olbermann** was suspended for only a few days by NBC after the network learned that the popular MSNBC host had made campaign contributions to three Democratic candidates (**Raul Grijalva**, **Gabrielle Giffords** and **Jack Conway**). The suspension stirred an outcry from the left; more than 300,000 activists signed a **Progressive Change Campaign Committee** petition demanding that Olbermann be restored to his position.

While Olbermann is back in the game, the controversy surrounding the suspension won't die, thanks to the work of **Fairness & Accuracy in Reporting** and Senator **Bernie Sanders**. FAIR focused immediately on the question of why it was appropriate to suspend Olbermann when NBC's parent company, **GE**, made more than $2 million in contributions in the 2010 election cycle and **Comcast**, the cable company that's trying to buy NBC, has recently increased its political giving, especially to lawmakers who support the proposed merger.

Sanders picked up on the theme, noting that if the merger goes through, "The new head of that company would be **Stephen B. Burke**, Comcast's chief operating officer and a 'Bush Ranger' who raised at least $200,000 for the 2004 re-election campaign of President **George W. Bush**." Promising to do everything in his power to stop the merger, Sanders said, "There already is far too much media concentration in this country. We need more diversity. We need more local ownership. We need more viewpoints. We do not need another media giant run by a Republican supporter of George W. Bush. That is the lesson we should learn from the Keith Olbermann suspension." JOHN NICHOLS

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when they know they will not be prosecuted, in hopes of putting the issue behind them and providing cover to those below them who also approved of the crime. How can we prosecute anyone lower down when the president and vice president have admitted to giving their approval?

But the principle of universal jurisdiction, combined with our government's failure to take any steps toward accountability, means that Bush and Cheney can be investigated and prosecuted anywhere in the world. They may feel confident that President Obama will not have the temerity to hold them accountable, but it's not clear they should be confident about the rest of the world. Two investigations of US complicity in torture are already pending in Spain, where Pinochet was initially investigated. And Poland has recently opened a criminal investigation of torture at a CIA "black site" there. Bush and Cheney may want to limit their vacations to the homeland for the foreseeable future.

But from our standpoint, it's not enough that some other nation might take up what we seem incapable of. It is ultimately our responsibility. The two highest members of the previous administration have openly admitted to criminal wrongdoing. And not just any crime—a war crime and a violation of one of the world's most universally recognized legal prohibitions. (Bush and Cheney insist that waterboarding is not torture, but that argument is frivolous; if subjecting a human being to the panic of drowning by pouring water over his mouth and nose so that he cannot breathe is not torture, it is difficult to know what that term encompasses.)

As American citizens, it is our obligation to insist that Bush and Cheney be held accountable. I don't expect a criminal prosecution. But accountability can come in many forms. The most realistic response, and I think the most responsible, would be for Congress or the president to impanel a blue-ribbon, bipartisan commission to investigate the use of torture and issue a report on its legality. If we don't declare these actions illegal, we will simply reinforce the already widely held and deeply corrosive impression around the world that the United States insists on the rule of law for others but disregards it for itself whenever it is politically inconvenient. DAVID COLE

David Cole, a professor at Georgetown Law, is The Nation*'s legal affairs correspondent. His most recent book is* The Torture Memos: Rationalizing the Unthinkable *(2009).*

Calvin Trillin, Deadline Poet

Late-Night Comics Bid Farewell to Christine O'Donnell

You surely were a hoot, Christine.
We're sad to see you leave the scene.
We reveled in the revelation
That you'd condemned all masturbation.
(Not only us but even anchors
Enjoyed the way you fought those wankers.)
Until you came along one day,
Old witchcraft jokes had been passé.
Because of you, just for a while,
Old witchcraft jokes were back in style.
So though, Christine, we now say ciao,
We hope you're back two years from now.

Obama Without Tears

Given the election results, the question Barack Obama has to decide for himself is whether he really wants to be president in the fullest sense. Not a moderator for earnest policy discussions. Not the national cheerleader for hope. Not the worthy visionary describing a distant future. Those qualities are elements in any successful presidency, and Obama applies them with admirable skill and seriousness.

COMMENT

What's missing with this president is power—a strong grasp of the powers he possesses and the willingness to govern the country with them. During the past two years, this missing quality has been consistently obvious in his rhetoric and substantive policy positions. There is a cloying Boy Scout quality in his style of leadership—the troop leader urging boys to work together on their merit badges—and none of the pigheaded stubbornness of his "I am the decider" predecessor, nor the hard steel of Lyndon Johnson or the guile of Richard Nixon.

Obama has patience and the self-confidence not to insist that his solution is the best and only one. On many vital questions, he went so far as to not even say what his solution was. Such a governing style is too nice for real-life politics, where Boy Scouts get their heads handed to them.

Some politicians may enjoy Obama's generous spirit, but many despise him for it. Washington always takes the measure of a new president and tests him early on. Congress and the surrounding power centers, swiftly reading weakness in this president, decided they would fill the vacuum Obama left for them.

A friend and longtime warrior for liberal reforms described what unfolded in harsh but accurate terms: "First he was rolled by the bankers, then he was rolled by the generals, then he was rolled by the Blue Dogs and other Democrats who had no interest in going along with what he proposed." Obama seemed exceedingly tolerant of resisting forces and even cooperated with them. Or maybe he privately agreed with them. He never made it clear.

Perhaps because he was young and relatively inexperienced, Obama surrounded himself with savvy veterans of

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Washington's inside baseball. He inherited his economic advisers from Robert Rubin, his political team from former Senate leader Tom Daschle and center-right Clintonistas like Rahm Emanuel. Together with old friends from the academy, the administration was overstaffed with intellectual abstraction and short on street-smart politicians, especially any harboring liberal instincts. That pretty much ruled out the "change" many voters had expected. It produced a tone-deaf seminar of policy thinkers in which Obama assumed he was hearing all sides.

Republicans, who are masters of deceptive marketing, seized on Obama's most appealing qualities and turned them upside down. Their propaganda cast him not as soft but as a power-mad (black) leftist, destroying democracy with socialist schemes. The portrait was so ludicrous and mendacious, the president's party hardly bothered to respond. Egged on by the Republican Party and Fox News, right-wing frothers conjured sicko fantasies and extreme accusations: the president is not only a black man (bad enough for the party of the white South); he is not even American. The vindictive GOP strategy is racial McCarthyism, demonizing this honorable man as an alien threat, just as cold war Republicans depicted left-liberal Democrats as commie sympathizers.

Even Obama supporters began to ask, Where is the fight in the man? Some critics blame a lack of courage, but that neglects the extraordinary nerve Obama displayed in his rise to the White House—a young black man with an unusual name and limited experience who triumphed through his audacity. Obama's governing style is a function of his biography—a man who grew up always in the middle, both black and white. He succeeded by learning rare skills, the ability to bridge different worlds comfortably and draw people together across racial, political and intellectual divides. He learned to charm and disarm, not to smash and conquer.

For the first time in his life, those qualities seem to have failed him. Indeed, he may have been misled by his high regard for his own talents. This is really his first encounter with devastating political defeat. The question now is, What will he learn from his "shellacking"? Possibly not much, since it is always very hard to rethink and adjust in midstream. But remember, this man is an unusually observant politician with a great thirst for self-reflection. One can reasonably hope that as he absorbs the hard knocks, he will make calculated changes in how he governs.

Bluntly put, Obama needs to learn hardball. People saw this in him when he fired Gen. Stanley McChrystal, and many of us yearn to see more. If he absorbs the lesson of power, he will accept that sometimes in politics you can't split the difference or round off sharp edges. He has to push back aggressively and stand his ground, more like those ruthless opponents trying to bury him. If Congress won't act, the president will. But first he has to switch from cheerleading to honest talk. Tell people what the nation really needs, what Republicans intend to sabotage. In a political street fight, you've got to hit back.

Only Obama can decide this about himself, but others can influence the outcome by surrounding him with tough love and new circumstances created by their own direct actions. It does not help Obama to keep telling him he did great but the people misunderstood him. He did lousy, not great, and in many governing dimensions people understood his failures clearly enough. They knew he gave tons of money to bankers and demanded nothing in return. They knew he thought the economy was in recovery. They couldn't believe this intelligent man was that clueless.

Popular forces can blow away the fuzziness. They can mobilize to demonstrate visible support for the president's loftier goals and to warn him off the temptation to pursue a Clintonesque appeasement of the right. Given the fragile status of his presidency, Obama needs to know that caving in is sure to encourage enemies and drive off disheartened supporters. People should, likewise, call out the president's enemies and attack them with the harshness that's out of character for him. The racial McCarthyism of the GOP establishment is a good place to start.

People who still have great hope for Obama can help revive his presidency, but only if they toughen up themselves. Stop holding his hand (he's an adult) and start building a people's agenda that compels the president to change his. Obama won't like this at first—his own supporters talking back—but he can learn to draw strength from their courage. If people fail to step up with their own message, the president will likely fail with his.

WILLIAM GREIDER

@TheNation.com

On **The Breakdown**: Will the Tea Party stall the economy? Dean Baker of the Center for Economic and Policy Research joins Christopher Hayes to answer the question, If Tea Party freshmen vote against raising our debt ceiling—as they vowed to do on the campaign trail—will the government grind to a halt?

Did the midterm elections vindicate the Blue Dog Democrats? Contrary to emerging conventional wisdom, **Ari Berman** says no.

The Nation on GRITtv: Watch Jeremy Scahill on US military actions in Yemen and Greg Mitchell on MSNBC's about-face on Keith Olbermann.

Most Americans think "don't ask, don't tell" only interferes with gay service members' ability to disclose their sexual orientation to other members of the military while serving. But in effect, **Daniel Redman** and **Ilona Turner** report, the prohibitions of the law are far more damaging.

Read **Anna Sussmann** on the death penalty as an election issue; **Ben Brandzel** on Malcolm Gladwell's indictment of social media as an organizing tool; and **Courtney Younge** on Tyler Perry's new film, *For Colored Girls*.

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Alexander Cockburn

Run, Russ, Run!

As the dust clears from the electoral battlefield, the corporate press is unanimous: the people have spoken, and their verdict is that President Obama must "move to the center." Onto the butcher block must go entitlements—Medicare, Social Security. The sky darkens with vultures eager to pick the people's bones.

In fact, election day delivered no such verdict. The American people spoke, and their message was confused. When exit pollsters questioned 17,000 voters across the nation as to who should take the blame for the country's economic problems, 35 percent said Wall Street, 29 percent said Bush and 24 percent said Obama. Just over half of the respondents (57 percent) said that their votes in House races had nothing to do with the Tea Party. The other half was split on the Tea Party, pro (22 percent) or con (17 percent). More than 60 percent said the all-important issue is the economy; 86 percent said they are worried about economic conditions. On whether government should lay out money to create jobs or slash expenditures to reduce the deficit, there's also a near-even split.

The American people want a government that doesn't govern, a budget that will simultaneously balance and create jobs, and spending cuts across the board that leave the defense budget intact. Collectively, the election made plain, they haven't a clear notion of which way to march.

Obama must carry a substantial part of the blame for this. He delivered no clear message, no clarion call. For two years he gave labor nothing; he gave his most loyal constituency—black America—nothing. When the "One Nation" rally mustered in Washington on October 2, there was no stentorian message of support from Obama for the event, sponsored by the NAACP and the AFL-CIO. Among the vast throngs who gathered for Jon Stewart and Stephen Colbert's politically inconsequential "sanity rally" on October 30, how many were young people who had voted for Obama in 2008, their passionate expectations now mutilated on the battlefields of Obamian realpolitik?

As Obama reviews his options, which way will he head? He's already supplied the answer. He'll try to broker deals to reach "common ground" with the Republicans, the strategy that destroyed those first two years of opportunity.

What do the next two years hold? Already there are desperate urgings from progressives for Obama to hold the line. Already there are the omens of a steady stream of concessions by Obama to the right. There's hardly any countervailing pressure for him to do otherwise. The president has no fixed principles of political economy, and who is at his elbow in the White House? Not the labor secretary, Hilda Solis. Not that splendid radical Elizabeth Warren, whose Consumer Financial Protection Bureau the Republicans are already scheduling for destruction. Next to Obama is Treasury Secretary Tim Geithner, the bankers' lapdog, whom the president holds in high esteem.

In the months ahead, as Obama parleys amiably with the right on budgetary discipline and deficit reduction, the anger of the progressive left will mount. At some point a champion of the left will step forward to challenge him in the primaries. This futile charade will expire at the 2012 Democratic National Convention amid the rallying cry of "unity."

The White House deserves the menace of a convincing threat now, not some desperate intra–Democratic Party challenge late next year by Michael Moore or, yet again, Dennis Kucinich.

There is a champion of the left with sound appeal to the sane populist right. He was felled on November 2, and he should rise again before his reputation fades. His name is Russ Feingold, currently a Democrat and the junior senator from Wisconsin. I urge him to decline any job proffered by the Obama administration and not to consider running as a challenger inside the Democratic Party. I urge him, not too long after he leaves the Senate, to bruit the possibility of a presidential run as an independent; then, not too far into 2011, to embark on such a course.

Why would he be running? Unlike Teddy Kennedy challenging Jimmy Carter in 1979, Feingold would have a swift answer. To fight against the Republicans and the White House in defense of the causes he has publicly supported across a lifetime. He has opposed the wars in Iraq and Afghanistan. His was the single Senate vote against the Patriot Act; his was a consistent vote against the constitutional abuses of both the Bush and Obama administrations. He opposed NAFTA and the bank bailouts. He is for economic justice and full employment. He is the implacable foe of corporate control of the electoral process. The Supreme Court's *Citizens United* decision in January was aimed in part at his landmark campaign finance reform bill.

A Wisconsin voter wrote me in the wake of the election, "Feingold likely lost because his opponent's ads, including billboards with pictures of him and Obama, as well as TV and radio ads, and last-minute phone bursts, convinced many voters that he has been a party-line Democratic insider all these years." What an irony! Feingold has always been of an independent cast of mind, and it surely would not be a trauma for him to bolt the party. Ralph Nader, having rendered his remarkable service to the country, having endured torrents of undeserved abuse from progressives, should hand the torch to Feingold as a worthy heir to that great hero of Wisconsin, Robert La Follette.

The left must abandon the doomed ritual of squeaking timid reproaches to Obama, only to have the counselors at Obama's elbow contemptuously dismiss them, as did Rahm Emanuel, who correctly divined their near-zero capacity for effective challenge. Two more years, then four more years, of the same downward slide, courtesy of bipartisanship and "working together"? No way. Run, Russ, Run! ■

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Katha Pollitt

Antichoicers on the March

When the 112th Congress convenes in January it will have at least fifty-three additional antichoice Republicans in the House and five in the Senate. Some of the newcomers are particularly extreme: Senator-elect Rand Paul and incoming Representatives Mike Fitzpatrick and Tim Walberg oppose most common methods of birth control, in vitro fertilization and stem cell research, and join Marco Rubio and Pat Toomey in opposing abortion even for rape or incest; Toomey supports jailing doctors who perform abortions. Supporters of reproductive rights are looking at the most hostile Congress since abortion was legalized in 1973.

For years pundits have been reassuring prochoicers that conservatives don't really want to get rid of abortion. Like fulminations against "the gay agenda," porn and Hollywood, vows to ban abortion are just theater, according to this view, meant to distract gullible rubes from the right-wing economic agenda. As Thomas Frank put it in *What's the Matter With Kansas?*, "The trick never ages; the illusion never wears off. *Vote* to stop abortion; *receive* a rollback in capital gains taxes." To overturn abortion rights would be to turn off the golden faucet of donations, volunteers and votes and also shift the passion to now-complacent prochoice voters.

I've never believed this theory. For one thing, it's too rational. It assumes that elections give voters a clear shot at each issue, that true believers can be controlled once elected, that political debts need never be paid and that promises can be forever postponed with no one the wiser. For another, it sets the bar too high: the overturn of *Roe v. Wade*, federal restrictions, a national ban. Most antiabortion activity is focused on smaller measures and takes place in the states, where some 600 antichoice bills were introduced last year, and where Republicans will now hold twenty-nine governorships and both houses of nineteen state legislatures. Add up enough small victories and eventually you've changed the reproductive rights landscape, both as a matter of law and on the ground, without ever engaging in the kind of wholesale ban or fertilized-egg-as-a-person legislation that energizes the opposition and that voters, like those in Colorado this year, have consistently rejected.

Here are some of the antichoice efforts we're likely to see in Congress in the coming months:

§ Reinstate the global gag rule, lifted by President Obama on his first day in office, which bars recipients of US foreign aid from so much as mentioning abortion in their work, and make it permanent.

§ Pass the No Taxpayer Funding for Abortion Act, *aka* Stupak on Steroids. This bill would make the Hyde Amendment permanent and reinterpret it to prevent any government department from funding any program that touches on abortion in any way, however notional. For example, if your insurance plan covered abortion, you could not get an income tax deduction for your premiums or co-pays—nor could your employer take deductions for an employer-based plan that included abortion care. (This would mean that employers would choose plans without abortion coverage, in order to get the tax advantage.) The bill would also make permanent current bans like the one on abortion coverage in insurance for federal workers.

§ Pass the Title X Abortion Provider Prohibition Act, which would ban federal funds for any organization that performs abortions or funds organizations that do so. The aim is to defund Planned Parenthood, the nation's largest network of clinics for family planning and women's health, and in many regions the only provider within reach. This is the brainchild of Representative Mike Pence, who clearly doesn't accept the conventional wisdom that taking away reproductive healthcare for women is unwise for a would-be presidential candidate.

§ Beef up so-called conscience protections for healthcare personnel and hospitals.

§ Ban Washington, DC, from using its own money to pay for abortions for poor women.

§ Revisit healthcare reform to tighten provisions barring coverage for abortion care.

§ Preserve the ban on abortions in military hospitals.

Note that the official theme here is not the banning of abortion but freeing the taxpayer from having to pay for it, however tenuous the connection. (Never mind why supporters of realistic sex ed have to pay for abstinence ed schemes, which studies have shown to be ineffective and ridden with sexism and falsehoods—or, for that matter, why pacifists have to pay for the military, vegans pay for government subsidies for animal products and atheists pay for social programs in churches.)

"This election was not about choice," Planned Parenthood head Cecile Richards told me by phone. "The bottom line was jobs and the economy. But if you look at close races where the prochoice candidate won, and where women knew the difference between the candidates on reproductive rights, they voted prochoice and arguably made the difference." As Richards points out, Michael Bennet, Richard Blumenthal and Patty Murray all won by double digits among women.

Richards thinks Democrats will realize they need prochoice women's support to win. "Especially where everyone says they're for jobs and against taxes, choice is an issue that clearly defines for women who's on their side. No one ran ads proudly proclaiming they were antichoice." She also noted that the Senate still has a prochoice majority.

If that's too optimistic for you, try this: only one of the new Republican senators thinks man-made global warming is real. So by the time they've taken control of your womb, you'll probably be dead. ■

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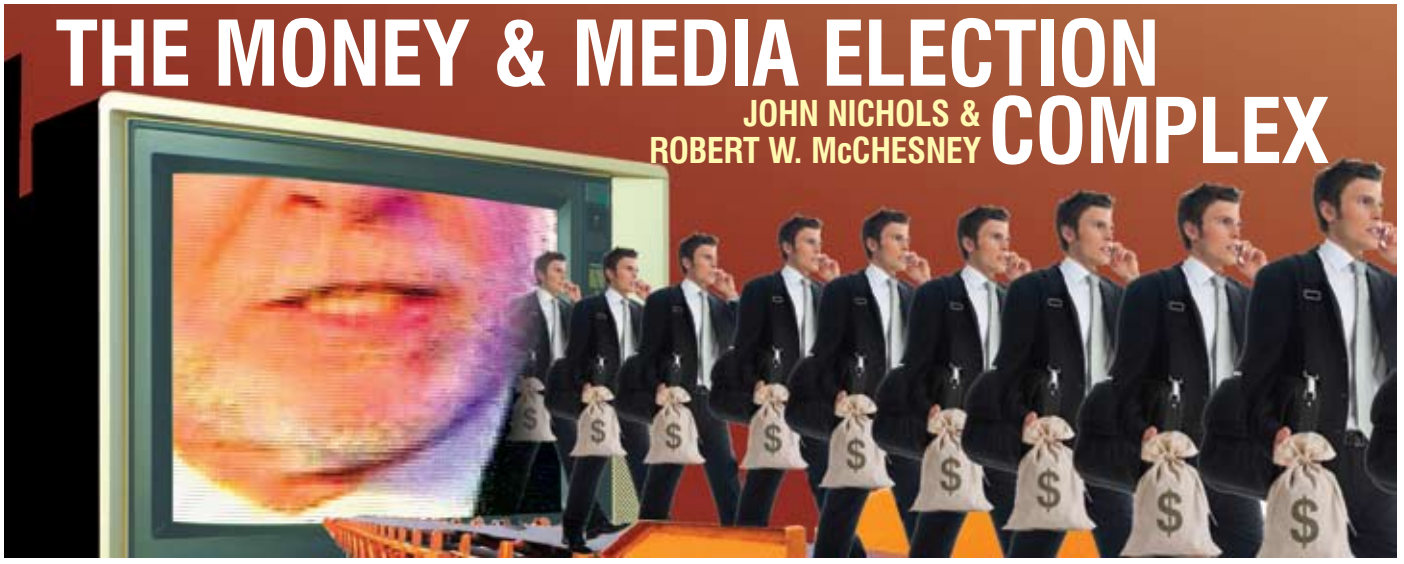
THE MONEY & MEDIA ELECTION COMPLEX

JOHN NICHOLS & ROBERT W. McCHESNEY



Like the wizard telling the people of Oz to "Pay no attention to that man behind the curtain," Karl Rove used media appearances at the close of the 2010 midterm campaign to dismiss President Obama's complaints that Republican consultants, led by the former White House political czar, were distorting Senate and House races across the country with a flood of money—hundreds of millions of dollars—from multinational corporations and billionaire conservatives into Senate and House races. "Obama looks weirdly disconnected—and slightly obsessive—when he talks so much about the Chamber of Commerce, Ed Gillespie and me," Rove mused. "The president has already wasted one-quarter of the campaign's final four weeks on this sideshow."

The "sideshow" from which Rove sought to distract attention was, in fact, the most important story of the most expensive midterm election in American history: the radical transformation of our politics by a money-and-media election complex that is now more definitional than any candidate or party—and that poses every bit as much of a threat to democracy as the military-industrial complex about which Dwight Eisenhower warned us a half-century ago. This is not the next chapter in the old money-and-politics debate. This is the redefinition of politics by a pair of new and equally important factors—the freeing of corporations to spend any amount on electioneering and the collapse of substantive print and broadcast reporting on campaigns. In combination they have created a "new normal," in which consultants dealing in dollar amounts unprecedented in American history use "independent" expenditures to tip the balance of elections in favor of their clients. Unchecked by even rudimentary campaign finance regulation, unchallenged by a journalism sufficient to identify and expose abuses of the electoral process and abetted by commercial broadcasters that this year pocketed $3 billion in political ad revenues, the money-and-media election complex was a nearly unbeatable force in 2010.

Of fifty-three competitive House districts where Rove and his compatriots backed Republicans with "independent" expenditures that exceeded those made on behalf of Democrats—often by more than $1 million per district, according to Public Citizen—the Republicans won fifty-one. Roughly three-quarters of all GOP House gains came in districts where independent expenditures by groups like the Chamber of Commerce and Rove's American Crossroads gave Republican candidates, some of them virtual unknowns until the outside money flowed in, the advantage. The money is powerful, of course, but that power is supercharged because of the decay, and in many cases disappearance, of independent and skeptical journalism at the state and regional levels, where elections are decided. Campaign narratives used to be created by reporters who, imperfectly but seriously, pulled together the multiple threads of an election season to give voters perspective. Now that narrative is driven by commercials—millions of them, most negative. The narrative for the most part still comes from broadcast and cable TV stations, as it has for some time, but it is now produced and paid for by economic elites that seek to define not just the results of an election but the scope and character of government itself. To neglect the money-and-media election complex or, worse yet, to imagine that progressive forces can compete within it will make the 2012 election season look like 2010 on steroids. Determined and dramatic responses are the only options if we hope to maintain anything more than the remnants of a functioning democracy.

The immediate cause of the crisis was the Supreme Court's January 2010 *Citizens United v. Federal Election Commission* ruling, which wiped away a century of campaign finance regulations designed to prevent corporations and business alliances from using their immense resources to buy the results that best serve their interests. There was bipartisan shock at the ruling, with protest across the spectrum. National Voting Rights Institute founder John Bonifaz declared that the freeing of corporations to tap general treasury funds would allow them to spend so freely that they could "effectively own our democracy."

The critique was right, but even serious analysts tended to underestimate the speed with which corporate interests and wealthy conservatives would take advantage of the severe damage done to campaign finance laws. The corporate intervention was unapologetic. "The big three stepping into the batter's box are the financial services industry, the energy industry and the health insurance industry," chirped veteran GOP operative Scott

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Reed, whose Commission on Hope, Growth and Opportunity spent millions, perhaps tens of millions, this fall on thousands of commercials attacking Democratic lawmakers in battleground states all over the country. Reed's operation was identified by the Media Matters Action Network as a "small fry" player among the more than sixty nonparty groups that by late October had paid for nearly 150,000 commercials and an untold number of direct-mail attacks in a frenzy of spending that would make the 2010 cycle (price tag: $4 billion and counting) more expensive than either the 2006 midterms or the 2004 presidential race.

To be sure, Democrats tried to play the game and raise corporate money too, but the balance was off from the start; by one measure, that of the Center for Media and Democracy, "spending by outside interest groups [was] up at least 500 percent since the last midterm election, with pro-Republican groups outspending those favoring Democrats by seven-to-one."

To some extent, this is a story as old as the nation itself. Founding father John Jay thought "those who own the country ought to govern it." The battle to establish a credible system of "one person, one vote" instead of "one dollar, one vote" has been a running theme in American history. The stakes have always been the same: the less democratic our elections, the more corrupt our governance. But the current moment sees the country accelerating toward the edge of a cliff. "We can have democracy in this country, or we can have great wealth concentrated in the hands of a few, but we can't have both," observed Supreme Court Justice Louis Brandeis. America is being put to the Brandeis test: democracy or plutocracy. The money-and-media election complex is creating a radically different electoral landscape than anything Americans have known since the Gilded Age. That landscape is characterized, pundits tell us, by an "enthusiasm gap." No kidding. Americans are not stupid. They knew their relatively paltry contributions, and even their votes, were unlikely to stop a $4 billion onslaught. To those bankrolling the system, voter cynicism and apathy are welcome. The more that the 2008 surge of youth participation in electoral politics dissipates, the better for them. Their interests are best served by narrowing the range of debate and participation, since that makes it easier to buy the government. As much as commentators like Jon Meacham might want to believe that "we are now living with a political class which has a financial and cultural interest in conflict rather than in governing," the hard truth is that we have a corporate class that funds electoral conflict for the purpose of forging a political class that will govern in its interest.

The emerging money-and-media election complex is perfectly designed to make participants conform or suffer the consequences. It should come as no surprise that some of the most troubling results of 2010 involved the defeats of independent players of both parties who had battled hardest for clean politics and ethical government—Wisconsin Senator Russ Feingold, the leading progressive Democratic reformer, was defeated, as was Representative Mike Castle, a moderate Republican beaten in Delaware's GOP Senate primary by Tea Party heroine Christine O'Donnell. Nor should it get better in 2012. "It's a bigger prize in 2012, and that's changing the White House," says Robert Duncan, chair of American Crossroads. "We've planted the flag for permanence, and we believe we will play a major role for 2012."

But it's not just corporations and consultants who are setting the new agenda. The most important yet least-recognized piece of the money-and-media election complex is the commercial broadcasting industry, which just had its best money-making election season ever. Political advertising has become an enormous cash cow for it—roughly two-thirds of the campaign spending this year flowed into the coffers of TV stations; the final figure is likely to be well above $2 billion. Whereas in the 1990s the average commercial TV station received about 3 percent of its revenues from campaign ads, this year campaign money could account for as much as 20 percent. And station owners are not missing a beat; thirty-second spots that went for $2,000 in 2008 were jacked up to $5,000 this year, according to the *Los Angeles Times*. Much of this money will go to stations owned by a handful of Fortune 500 firms. No wonder station owners oppose campaign finance reform; their lobby role in Washington is similar to the NRA's in battling bans on assault weapons.

Yet commercial broadcasters receive monopoly licenses for their scarce channels at no charge from the government under the condition that they serve the public interest. By any account, the most important role of our media is to make the electoral system serve the voters, who, as surveys continue to demonstrate, rely on local TV as their main source for news. However, local TV covers far less than it did two or three decades ago; according to the Norman Lear Center at the University of Southern California, a thirty-minute newscast at election time has more political advertising than campaign news. Even when politics does get covered, the focus, increasingly, is on "analyzing" ads. And the cumulative effect of endless advertising overwhelms what little remains of independent on-air coverage. What incentive do commercial stations have to cover politics when they can force candidates and players to pay for it? Nice work if you can get it.

This contradiction is magnified by the aforementioned decline of political journalism across all media. If the United States had a vibrant and credible news media, the problem of the money-and-media election complex would be less pressing, as citizens could use news coverage and dismiss much of the brazen deception of ads. Instead, our news media, in decline for decades, is in free fall [see Nichols and McChesney, "The Death and Life of Great American Newspapers," April 6, 2009]. The shuttering of dozens of papers and the wholesale layoff of tens of thousands of journalists and support staffers, the shuttering of Washington and statehouse bureaus and the shift of radio and cable TV from traditional campaign coverage to one-sided talk formats that often reinforce rather than sort through the spin have allowed money to speak more loudly than ever before.

John Nichols and Robert W. McChesney are the authors of The Death and Life of American Journalism, *published earlier this year. They are the founders, with Josh Silver, of Free Press, which has launched a campaign to save the news.*

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It's amazing how technology has changed the way we live. Since the end of the Second World War, more products have been invented than in all of recorded history. After WWII came the invention of the microwave oven, the pocket calculator, and the first wearable hearing aid. While the first two have gotten smaller and more affordable, hearing aids haven't changed much. Now there's an alternative… Neutronic Ear.

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The Evolution of Hearing Products

Invention	Date	Easy to Use?	Invisible?	Affordable?
The Ear Horn	17th Century	No	Hardly	Maybe
Wearable Hearing Aid	1935	Weighed 2.5 pounds	No	No
Digital Hearing Aid	1984	No	No	Not for most people
Neutronic Ear	2010	Yes	Yes	Yes

Neutronic Ear has been designed with the finest micro-digital electronic components available to offer superb performance and years of use. Many years of engineering and development have created a product that's ready to use right out of the box. The patented case design and unique clear tube make it practical and easy to use. The entire unit weighs only 1/10th of an ounce, and it hides comfortably behind either ear. The tube is designed to deliver clear crisp sound while leaving the ear canal open. The electronic components are safe from moisture and wax buildup, and you won't feel like you have a circus peanut jammed in your ear. Thanks to a state-of-the-art manufacturing process and superior design, we can make Neutronic Ear affordable and pass the savings on to you.

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New-media initiatives are encouraging, but they have not begun to fill the void, in large part because few have developed business models that can pay for serious independent journalism.

The changes taking place in how campaigns are paid for and covered provides the most meaningful explanation for otherwise incomprehensible shifts in our politics. We know and respect the multitude of theories being advanced for why 2010 went so horribly awry for Democrats and particularly for progressives, but we would argue that the key factor is the emergence of the money-and-media election complex. Recognizing how this system works is necessary if we are to recognize the absurdity of the suggestion—advanced by former Clinton administration aide and veteran Democratic fundraiser Harold Ickes, among others in the consultocracy—that Democrats can somehow buy their way back into the game by getting progressive donors to give as generously as Rove's billionaires and the wealthiest multinationals. Only an insider with no sense of history could willingly embrace this system. And if Democrats somehow "succeed" in the money-and-media election complex, it will be at the price of the party's soul and of any prospect that progressive ideas will get a hearing.

Democrats in anything more than name only cannot win the money race. As Michael Vachon, an adviser to George Soros, correctly notes with regard to the consultants who organize "independent" expenditures on behalf of Republicans (and perhaps of corporate-friendly Democrats), "Their resources will always be too great because the funds come from those who are acting in their economic self-interest." Fundamental reform is going to be necessary. And it will not be easy, as we are talking about changing our entire political process in a way that frightens economic elites. Opposition from entrenched, procorporate Republicans will be intense, as evidence suggests that their corrupt and unpopular policies can prevail at the polls only with the sort of depressed and selective turnout and lack of critical scrutiny that the money-and-media system encourages. How ironic that, just as demographic trends are moving in a decidedly progressive direction—as minorities begin to form majorities in our states, and as young people move increasingly to the left on social and economic issues—the electoral system is becoming a bastion of reaction.

Rove, Reed and their allies—including Senate Republican leader Mitch McConnell and soon-to-be House Speaker John Boehner—would have us believe that more spending is good and that ads can be educational. This is an extension of the "money is speech" argument that has underpinned a series of Supreme Court rulings, beginning with *Buckley v. Valeo* in 1976 and culminating in *Citizens United*, that initially undermined but have by now made a mockery of campaign finance reform. It's an absurd construct. But it is being reinforced by consultants—veteran Democrats as well as Republicans—and TV executives who are cogs in a permanent campaign apparatus.

The counsel of the self-interested "players" is always the same: raise money, more money and more money still—and don't do or say anything that makes it harder to raise money. This thinking has bled into what is left of our journalism, such that political reporters today spend more time covering the money that candidates, parties and interest groups raise and spend than examining their records and intentions. Whereas journalists once wrote stories about issues, and candidates cut commercials in response to them, now some journalists go through entire campaigns doing little more than fact-checking commercials. On many days, reviews of ads are all that appear in print and broadcast reports. And what do new-media outlets bring to the table? An opportunity to watch ads on YouTube!

As ads become the primary source of political information, we create a politics based on lies or, at best, decontextualized quarter-truths. Campaign ads are unregulated for truthfulness, unlike commercial advertising. Three decades ago Ogilvy and Mather executive Robert Spero determined that if political ads had to meet the same Federal Trade Commission criteria as commercial ads, all of them would be rejected as fraudulent. The regulation of commercial ads may be more lax today, but we doubt that any study of political ads in 2010 would regard them more favorably than Spero did.

As TV ads become the primary source of political information, we create a politics based on lies or, at best, decontextualized quarter-truths.

The journalists who want to cut through the lies are having a harder time doing so. One of the truly unsettling developments of this election season was the decision by prominent candidates either to avoid the press, as Nevada Senate candidate Sharron Angle did, or to refuse opportunities to debate. Once upon a time challengers hungered to debate incumbents; in 2010 incumbents like Florida Representative Alan Grayson found themselves chasing after well-funded challengers. Feingold offered to debate his millionaire opponent in forums across the state, but Republican Ron Johnson, who had no record in public life and who even avoided interviews with newspaper editorial boards, refused. Instead, Johnson let his advertisements and those paid for by the Chamber of Commerce, American Action Network and sundry organizations that flooded the state with anti-Feingold ads do his talking. Even when Johnson did debate in a handful of forums available for broadcast by the state's TV stations, many stations avoided airing them in prime time. Wisconsin lawyer Ed Garvey, a former Democratic nominee for governor, tried to tune in to a much-anticipated Feingold-Johnson debate, only to find it was not being aired. He called the station and was told he could track it down on a website. "As a citizen, I was left with no option but the ads. I got nothing of substance from television stations," griped Garvey. "I thought they were supposed to operate in the public interest."

That should be the starting point of any response to the money-and-media election complex. We have to stop thinking about the crisis of our politics merely in terms of reforming the campaign finance system (though of course it's important to fight

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for reforms). It's a media ownership and responsibility issue as well. It goes to the heart of why freedom of the press is enshrined in our Constitution. And regulatory agencies that are empowered to protect the public interest should be the first to intervene. The Federal Communications Commission and the Federal Election Commission have a duty to figure out exactly how much was spent, by whom and to what end. That examination should start with dollar amounts, but it shouldn't stop there. It should explore the issue of whether TV stations that made a fortune running campaign ads met even the most basic public-interest requirements of companies that obtain broadcast licenses. How much campaign journalism have these stations been doing, compared with a generation ago? How many debates are they airing in prime time? FCC member Michael Copps understands the crisis and intends to press ahead this fall with demands for stronger public-interest requirements for broadcasters. Copps is no fool; he knows this is the hardest of all fights. That's why he will need support from Congress as well as citizens.

House and Senate committees should hold hearings about the money-and-media election complex. How about calling Representative Pete DeFazio to testify? The Oregon maverick was one of many Democratic incumbents facing marginal challengers who suddenly found himself battered by attack ads paid for by a shadowy group no one had heard of. DeFazio pushed back, taking a camera crew to the Capitol Hill condo from which the group operated and exposing the source as a single New York–based hedge fund gazillionaire who was apparently angered by the Congressman's ardent advocacy for holding Wall Street speculators to account. That's the stuff of a good hearing. But don't stop with DeFazio; call the hedge fund manager who went after him. Then call Karl Rove. The 111th Congress has been lame when it comes to oversight; it should finish with a bang. And state legislative committees around the country should do the same.

Gathering the data and grilling the guilty players will make the case for fundamental reform, which must come at multiple levels. The FCC could require stations to grant equal advertising time to any candidate who is attacked in an ad paid for by corporations, with the free response ad to immediately follow the hit job. The FCC should consider requiring free TV ads for every candidate on the ballot if any candidate buys his or her own spots. This would allow wealthy candidates access but would prevent them from shouting everyone else down. Let the stations jack up rates to cover all the time, if they want. We suspect the appeal of TV ads will decline if the result is simply to open an equal debate rather than allow one side to dominate. And of course there is the long-overdue matter of providing free airtime to candidates and requiring debates to be broadcast.

Radical ideas? Hardly. Much of what we're talking about was outlined in the original version of the McCain-Feingold bill of the 1990s and in other proposals advanced over the years. It's time to renew them. At the same time, we need a public policy commitment to the rejuvenation of news media. A supercharged public and community broadcast system would be a good start. It's no accident that the corporate right is taking dead aim at public broadcasting, as it remains the one institutional force not under its direct control.

Ultimately, however, Americans have to get serious about addressing the *Citizens United* ruling. We have no problem with legislative remedies, especially if they embody proposals like those advanced by the Sunlight Foundation to establish online transparency at every level of influence, from independent expenditures to lobbying to bundled campaign contributions. We agree with Lisa Gilbert of the U.S. Public Interest Research Group, who says Representative Grayson has proposed "pieces of good policy" with his Business Should Mind Its Own Business Act, which would impose a 500 percent excise tax on corporate contributions to political committees and on corporate expenditures on political advocacy campaigns; his Corporate Propaganda Sunshine Act, which would require public companies to report what they spend to influence opinion on any matter other than the promotion of their goods and services; and his End Political Kickbacks Act, which would restrict contributions by government contractors. And we have no doubt that Grayson's advocacy for these reforms helps explain why "independent" groups spent more than $1.2 million on attack ads targeting him.

However, we don't see any way to avoid the requirement of a constitutional amendment to overturn the *Citizens United* ruling. Representative Donna Edwards has proposed a sound one, backed by the Free Speech for People campaign. Another approach, proposed by Move to Amend, would begin the process at the state level, where grassroots activists may have more of an opening to demand that legislatures call for an amendment. It's not necessary to choose a specific strategy at this point, but we do have to recognize that the money-and-media election complex defined the 2010 election, and that its reach is extending to 2012. Taking it on will require boldness, creativity and determination. We will be told it is impossible to beat, but we're with Lisa Graves, the former Justice Department lawyer who as executive director of the Center for Media and Democracy has become a leader in the fight for a constitutional amendment. She says, "If we don't seize it as an opportunity because it's so discouraging, they win."

Even if only out of self-interest, this is what Obama and his Democratic allies should have been talking about during the 2010 campaign and what they should be shouting about now—not with vague rumblings about contributions from foreign corporations but with shout-it-from-the-rooftops populist rage at a threat to democracy every bit as serious as the military-industrial complex that Eisenhower identified. His charge to Americans with regard to the machinery of military dominance—"We must never let the weight of this combination endanger our liberties or democratic processes"—translates with chilling precision to the new media and money machinery of political dominance.

Scholars of American history have acknowledged for a long time that the United States is far from a true democracy, or even an especially effective representative democracy. Most political decisions are made with precious little input by average citizens. What the government does with wealthy individuals and powerful corporate interests is largely removed from popular control. This is part of the reason voter turnout has for so long been among the lowest in the world. But two things give us confi-

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dence in our system. First, we have core civil liberties, especially the right to freedom of speech. And second, we have elections, as flawed as they may be, and that gives the citizenry the periodic capacity to replace whoever is in power with someone else. It is our ultimate and last remaining check.

The money-and-media election complex has transformed longstanding problems into an existential crisis: we are about to lose the democratic promise of elections. It is hard to see how our cherished freedoms can then survive, except to the extent that they are trivial and unthreatening to those in power. What hangs in the balance is democracy itself, along with the promise of the American experiment. ■

After the Fall: A Progressive Game Plan

It's time for us to go big, challenge the limits of the debate and organize from the outside in.

by KATRINA VANDEN HEUVEL AND ROBERT L. BOROSAGE

RYAN INZANA

Election 2010 will be known as a "shellacking," the president's characteristically tempered term for what might better be called a rage-fueled bloodletting. Democrats lost more than sixty seats in the House, the worst rout in postwar history, as well as six Senate seats and key statehouses and governorships.

Republicans framed these results as a repudiation of liberalism. The "unmistakable message," said incoming House Speaker John Boehner, was "change course." Blue Dog Democrats, after suffering the loss of half of their caucus, called for a turn to "incrementalism," in the words of Representative Heath Shuler, who suggested that Nancy Pelosi should be displaced as the party's leader in the House. (Thankfully, the lady is not for turning.) Washington pundits argued that Obama's mistake was trying to do too much, catering to his liberal base, and they advised him to imitate Bill Clinton after 1994 by trimming his sails and tacking to the center.

Before this conventional wisdom hardens into received truth, progressives need to take a tough, lucid look at what really happened. With the country beleaguered at home and abroad and the push for reform frustrated, it is vital that we lay out a clear strategy going forward.

It's Still the Economy

With unemployment near 10 percent, the economy was the overriding issue. Exit polls showed that 40 percent of voters said that their financial situation had gotten worse since two years ago, and two-thirds of them went for Republicans. Voters don't hold Obama responsible for the mess—Bush and Wall Street are sensibly given most of the blame. But not surprisingly, they hold Obama and the Democrats responsible for failing to fix it.

Obama's problem wasn't that he did too much or was too liberal. It was that he did too little and wasn't radical enough. The recovery plan stopped the economic free fall that Obama inherited, but it wasn't enough to get the economy going. Weakened by unified Republican obstruction and wrongheaded Blue Dog opposition, public spending was barely enough to counter budget cuts at the state and local level.

Given the scope of the financial bust—Americans lost nearly $11 trillion in the value of their savings and homes—any recovery would have been predictably slow and difficult. That made winning the larger battle of ideas and discrediting the failed conservative policies that drove the economy off the cliff a crucial long-term strategy. But here the president was largely absent without leave. Hoping for bipartisan cooperation, Obama chose not to level a searing critique of conservatism, as Reagan had of liberalism when he took office. His economic advisers Timothy Geithner and Larry Summers were particularly hapless, for they were implicated in the crisis and still espoused much of the neoliberal gospel. Confident that the Recovery Act would work, the White House presented it as *the* solution, not as the first step in an ongoing drive to build a new economy.

This folly was exacerbated by the decision to continue the Paulson-Bernanke-Geithner policy of rescuing the banks without reorganizing them or at least forcing heads to roll. Taking a cue from the Tea Party, Republicans conflated the recovery plan with Bush's bank bailout. The administration was charged with running up deficits to bail out Wall Street without creating jobs on Main Street. Without revising their failed mantra, Republicans presented themselves to voters as populist tribunes (while peddling themselves to Wall Street as their protectors). The ploy worked: exit polls showed that a plurality of voters (35 percent) blamed Wall Street for the economic mess, but these same voters chose Republicans over Democrats by a 56 to 42 percent margin. This is the full measure of the White House's political malpractice.

Progressives bear some blame for the failure too. Buoyed by the emerging majority that carried Obama into office, progressives poured resources into building coalitions to drive the reform agenda on energy, healthcare, immigration and financial regulation. These efforts had some positive effects: healthcare would not have passed without progressive mobilization, and financial regulation got stronger because of a scrappy citizen

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coalition. But with the exception of labor, there was no large movement calling for action on jobs until the One Nation march in October. Until too late in the game, progressives were reluctant to challenge the limits of the economic debate, to push independently for change and to censure the White House and Congress for pandering to the big banks and failing to move on jobs. The weakness of independent progressive mobilization made it easier for the right to tap into the populist temper.

Passion Attracts

Many establishment pundits have focused on the swing of independent voters, whose support for Democrats dropped from 52 percent in 2008 to just 39 percent in 2010. Conservative Democratic strategists argue that this decline illustrates the dangers of trying to rouse the party's base in the run-up to the election. This is, in a word, bull.

The voters who turned out in 2010 would likely have elected John McCain in 2008. They were older, whiter and more conservative than the voters who put Obama in office. Turnout was at 40 percent this year, about average for an off-year election. But self-described conservatives represented 42 percent of the vote, up from 34 percent in 2008, and they gave Republicans a higher share of their votes (86 percent, up from 78 percent in 2008). There is no question that the Tea Party mobilization, the torrent of corporate-funded attack ads and the Fox News echo chamber got conservatives to the polls in large numbers. Seniors over 65 represented a striking 23 percent of the vote, and they went for Republicans by a margin of 58 to 40 percent, up from 2008. Here, the dishonest barrage of ads describing healthcare reform as cutting $500 billion from Medicare probably had some effect.

The president went from being a transformational candidate to being a transactional president—and Democrats paid the price.

This increase in the conservative vote was mirrored by the falloff in Obama's base. Young people, minorities and single women—the rising demographics that gave Obama his majority in 2008—shrank from 46 percent of the electorate to 40 percent, and they gave Democrats a lower percentage of their vote than they did in 2008. Young people under 29 represented 11 percent of the vote, down from 18 percent, and they chose Democrats over Republicans 57 to 40 percent, as opposed to 66 to 32 percent in 2008.

Conservatives were aroused; liberals were discouraged. This "enthusiasm gap" affects more than the turnout of the base. An aroused base takes the case to the uninvolved, the disengaged. A discouraged base, like conservatives in the latter Bush years, is tongue-tied, confused, defensive. Far more than the purported turn against liberal policies, it's this trickle-down enthusiasm effect (or lack thereof) that helps explain why independent voters swung to Republicans in 2010. Independents are not a stable group of voters with fixed opinions equidistant between two parties. Rather, independents tend to be voters who are paying less attention to politics, and with less information, than partisans. Most tend to favor one party over another. A fired-up base brings out the independents that lean to that party and may also help persuade true independents.

The argument that Obama should tack to the prevailing conservative winds is simply wrongheaded. That surely wasn't the way the Republican Party came back from its defeats in 2006 and 2008. Passion attracts while cautious positioning too often alienates the partisans the president needs to re-engage. As Marshall Ganz has argued, the president went from being a transformational candidate to being a transactional president; the candidate who empowered his supporters became the president who demobilized them—and Democrats paid the price.

No Conservative Mandate

Despite the Democrats' "shellacking," voters provided no mandate for conservative ideas. Republicans did not gain popularity; Democrats lost it. The GOP strategy was to attack, not to advocate. To the extent Republicans advocated anything, few Americans heard it. And when the extremist agenda of Tea Party candidates like Sharron Angle and Joe Miller, who called for privatizing Social Security, was highlighted, voters rejected it.

In fact, voters remain skeptical about the conservative agenda. Exit polls showed a majority favored repealing the Bush tax cuts for the wealthy or repealing them altogether, as opposed to just 39 percent who wanted keep them entirely. An election-night Campaign for America's Future/Democracy Corps poll asked voters what they worried about more: the failure to make necessary investments to create jobs and strengthen the economy or increasing government spending so much that taxes will have to be raised. Voters virtually split evenly between the two. Asked to choose between an agenda drawn from the Republican "Pledge to America" (reducing the deficit by cutting spending, extending the tax cuts, offering a 20 percent tax cut to small business) and an investment agenda that creates jobs by spending on infrastructure, science and technology while extending tax cuts for the middle class, the electorate favored the investment agenda 52 to 42 percent. In other words, even the conservative-tilting electorate remains open to progressive ideas to fix the economy.

Obama's Strategy: Getting Clinton Right

It is essential that President Obama dispel the mist surrounding Bill Clinton's comeback after 1994. The prevailing view—propagated by New Democrats and the former president himself—is that Clinton's recovery came from an agile move to the center, joining with Gingrich Republicans to balance the budget and "reform" welfare and embracing conservative symbols like school uniforms and parental V-chips for television.

In reality, after some public flailing about, Clinton found his footing after the Oklahoma City terrorist bombing, using the occasion to speak for the country and condemn those who propagate hatred of public service. He then defended Medicare and Medicaid, education and environmental programs from deep cuts demanded by the Republican Congress.

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When Gingrich shut down the government, Clinton soared in the polls. "M2E2" (Medicare, Medicaid, Education and the Environment) became the centerpiece of his campaign against the lackluster Bob Dole. Clinton was ahead by double digits when he was still vetoing Gingrich's welfare repeal.

Obama faces more formidable obstacles than Clinton ever did. The economy is more likely to stagnate, and mass unemployment could easily become the "new normal." Republicans, tempered by the Gingrich flameout, are less likely to overreach. Indeed, they've been rewarded for just saying no thus far. They are likely to hold a series of symbolic votes to appeal to their base (a repeal of healthcare) and seek agreements that mean little (a moratorium on earmarks). They can achieve little and still let the president take the blame for a stubbornly bad economy.

Obama has little choice but to reach out to Republicans to gain what agreements he can that might boost the economy. This may entail debilitating compromises like the extension of the Bush tax cuts. He might be able to mobilize the business community in favor of pushing for infrastructure investment. He's pledged to try to make progress on a new energy policy, although that seems less likely. In any case, little is likely to be accomplished in Congress, which will be devoted to symbolic repeals and search-and-destroy investigations.

Given this, it is imperative that the president do three things. First, he'd be wise to focus on governing and invoke his executive authority to further progressive reform and to strengthen allies. On energy, immigration, workers' rights, fair labor standards and "don't ask, don't tell," the president has formidable powers on his own.

Second, the president must use the coming fights with Congress to show whose side he's on. He should be prosecuting the widespread fraud in the banking industry and challenging China and other trade violators. He should make himself into the defender of core programs that serve working and poor Americans, the very constituencies conservatives have in their sights. His Deficit Commission will report in December, amid establishment pressure to cut Social Security. The president should stand tall and announce that Social Security doesn't contribute to the debt and won't be cut on his watch.

Third, the president must do what he failed to do in his first two years—lay out a bold vision and program for reviving the US economy and fight for it, slamming conservatives who stand in the way. He needs to join the battle of ideas, not drift above it.

The Campaign for America's Future/Democracy Corps poll asked voters how they would react if Obama made a postelection speech committing to building a new economy for the middle class that laid a "foundation for jobs and growth" by "investing in education, research and innovation"—a classic argument for progressive reform. Two-thirds rated the statement positively, including 71 percent of swing voters. The poll then tested two major initiatives. One called for a plan to rebuild infrastructure, including a new National Infrastructure Bank; voters favored this proposal 53 to 35 percent, including a majority of independents. The second, more ambitious initiative called for a strategy to revive US manufacturing, including investment in infrastructure and science, an aggressive trade policy, Buy America procurement policies and an end to tax breaks that encourage moving jobs abroad. It was favored by 80 percent of voters, more than half of whom expressed strong support.

Americans are still looking for answers that are commensurate with the scope of our challenges. The president would be well advised to present himself not as a chastened politician but as a transformational leader, championing the fundamental reforms needed to revive America and rebuild the middle class.

A Strategy for Progressives

Progressives also need to rethink their own strategies moving forward. A majority for progressive reform can still be forged but only with a revival of bold vision, populist energy and independent organizing. Barack Obama provided a vehicle for that energy in 2008, but progressives had paved his way. We stopped Bush when he sought to privatize Social Security. We built the movement that opposed the Iraq War and brought Democrats their majority. We provided the drive for a transition to renewable energy and leadership in the green industrial revolution. Those successes gave an African-American freshman senator the sense that there was something big happening, something he could tap into. It is vital to rekindle this independent energy. To allow the corporate-funded Tea Partyers to capture the populist anger at Wall Street bailouts and special interests is simply political malpractice.

We're headed into a period of defensive struggles—against cuts to Social Security, unemployment insurance, education and Head Start; against the continuation of two wars and increases in military spending; against the climate change know-nothings. Progressives must fight these battles, but we should also be prepared to challenge the limits of the debate.

We need a broad mobilization for jobs, a call to rebuild America that challenges trickle-down economics, special-interest politics and the divide-and-conquer strategies that are destroying America's middle class. That requires mobilizing working families, the unemployed and citizens of conscience to challenge both the cautious White House and the conservative Congress.

This can be complemented with an inside-out strategy, defined not by the White House but in conjunction with progressive members of Congress. In this election, the House Progressive Caucus lost only three seats, while the Blue Dogs lost thirty, leaving Democrats smaller but more liberal. In the minority, they have no chance of passing legislation. But acting collectively, the Progressive Caucus could reinforce movement protests, defining choices with a bright line, exposing how conservatives cater to corporate interests over the common good, while putting forward an alternative direction. Outside organizing could help magnify and broadcast this agenda—insisting on withdrawal from Afghanistan, exposing the climate deniers while pushing for green jobs, detailing the reforms needed to take back our politics from corporate money and interests.

The rear-guard battle against cuts to the social safety net could be reinforced by a poor people's campaign that ends the shameful silence about poverty. Legislators should join the vibrant movement for immigration reform in pressuring the White House to act administratively, while confronting Republicans with the prospect of losing Latino voters for a

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generation. This effort should be complemented with a push to recruit true progressive champions and finance and staff their campaigns. Progressives should gear up to run in the primaries of the seats just lost—while putting Democrats on notice that we are prepared to challenge those who stand in the way.

With Washington more and more gridlocked, citizens must move. Americans fear this country is headed into decline, while their government caters to special interests that feed off their tax dollars. They are searching for answers that conservatives cannot supply. A majority for progressive reform can still be forged. But it will require independent action to revive the energy and, yes, the hope that the past few years have squandered. ■

America's Knowledge Deficit

We have increasingly substituted opinion and prejudice for science and reason.

by BENJAMIN R. BARBER

RYAN INZANA

Going into midterm Congressional elections that he knew wouldn't turn out to his liking, President Obama complained that politics was tough because "facts and science and argument" do not "seem to be winning the day all the time." He was echoing President Clinton and others who have complained that voters know more about football than political issues and, with their minds made up, can't be "bothered with the facts." In 2004 John Kerry voiced the same worry: "Facts, science, truth seem to be significantly absent from what we call our political dialogue."

In a *New York Times* "Week in Review" essay reminding us of these complaints the Sunday before the election, Peter Baker notes that many observers saw them as "elitist"—the seeming disdain of politicians for the intelligence of ordinary voters. But the real story is less about elitism or the new know-nothingism than about democracy and what I want to suggest is a novel and treacherous epistemological deficit.

We already know too many Americans know rather too little. A recent Pew survey confirmed that the religious are often "profoundly ignorant about religion"—above all, their own. At least in the survey, one's level of education was a predictor of knowledge. Not so in other domains. College students remain woefully ignorant about history and geography; year in and year out, many of my students cannot place the Civil War in the right century or Iraq on the right continent. And our beleaguered president knows all too well that 20 percent of his fellow citizens—up from 11 percent two years ago—insist he is a Muslim, and more than 25 percent doubt he was born in the United States. Not to mention all those Americans who believe 9/11 conspiracy theories (Bush did it! The CIA did it!) or that extraterrestrials hijack people (as of last year, a New England support group for abductees claimed a growing membership of 1,500).

But it is not what Americans don't know that is so pernicious to our democracy (they can always be educated); it is that they don't know what knowing actually is. Standing in the background of Obama's and Kerry's complaints, as well as of our radical political polarization and the multiplication of candidates (some of whom won on November 2) making preposterous claims about witchcraft, stem cell research, headless bodies in the desert, climate change, creationism and Islam-as-inherently-evil, is this debilitating civic deficit.

We hear about the democratic deficit all the time, but it is the epistemological deficit that is putting democracy at risk. Epistemology signifies the "science of knowing" and expresses a civilizational conviction that truth, objectivity, science, fact and reason are fundamentally different from opinion, subjectivity, prejudice, feeling and irrationality. The science of knowing insists on the fundamental distinction made by the Greeks between *episteme* (true knowledge) and *doxa* (opinion or prejudice, a root of our word "orthodoxy"). The Greeks understood that there is a potent difference between knowledge claims rooted in reason, or in facts that reflect some version of a real or objective world, and the subjective opinions by which we advertise our personal prejudices. We may not always be able to agree on what counts as real knowledge rather than mere prejudice, but we can and must agree on the criteria by which the distinction is made. Indeed, our science, our society and our democratic culture depend on the distinction.

Knowledge as *episteme* denotes claims that can be backed up by facts, good reasons and sound arguments. This doesn't mean there is perfect truth, but it does mean there are good and bad arguments—claims that can be verified by empirical facts or rooted in logically demonstrable arguments and those that cannot be. Because democracy relies on words rather than force, reason rather than compulsion and an agreement about the value if not the substance of objectivity, it works only when we agree on the distinction between knowledge and opinion, between claims that can be verified by facts and validated by sound reasoning and subjective personal beliefs that, however deeply felt, are incapable of being corroborated or falsified.

There are those who will say that democracy is simply government by the people, smart or dumb, knowledgeable or igno-

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rant. But democracy is government by citizens, and citizenship is defined by education, deliberation, judgment and the capacity to find common ground. This is the difference between democracy as mob rule and democracy as deliberative civic engagement. Mob rule asks only for the expression of prejudice and subjective opinion. Democracy demands deliberative judgment.

Yet far too many Americans, including not just many of the new Tea Party politicians but established leaders like former President George W. Bush, honestly think the difference between, say, evolution and creationism is merely a matter of opinion: you think man is descended from the apes; I think he is a creature made by God. Two competing belief systems, two forms of personal conviction equally salient. Tolerance, to Bush, means we respect both views and acknowledge their common creditability, because, after all, we both feel deeply about the matter—which means, in turn, we teach both views in our schools.

The trouble is that when we merely feel and opine, persuaded that there is no possible way our opinion can be controverted or challenged, having an opinion is the same as being "right." Being right quickly comes to trump being creditable and provable, and we lose the core democratic faculty of admitting that we might be wrong, and that our views must be judged by some criterion other than how deeply we hold them. Our polarized antidemocratic politics of personal prejudice is all about the certainty that we are right paired with the conviction that nothing can change our mind. Yet democracy is wholly contrary to such subjective certainty. To secure our liberty in a world of collectivity, we must remain endlessly sensitive to the possibility that we might be wrong. And hence to our reciprocal willingness to subject our opinions to corroboration—and to falsification. We teach evolution not because it is "true" in some absolute sense but because it is susceptible to falsification. Creationism is not, which is why evolution is science while creationism is subjective opinion—a fit candidate for belief but inappropriate to schooling.

There are, of course, many issues that cannot be judged by empirical evidence or objective truth. The existence of God is one of them; the nature of justice is another. These are normative rather than empirical claims. But even in the realm of politics, where we lack empirical evidence and must argue normative opinions, there are good and bad arguments, claims that are more persuasive because they are more reasonable. The Greeks used to say "right opinion" (*orthodoxia*). Aristotle was especially alert to the need for a kind of practical wisdom in the political sphere, when *episteme* was not available. He called it *phronesis* and was at pains to distinguish it from mere opinion. *Phronesis* is not yet *episteme* or true knowledge but is more than mere prejudice and gives politics its relative objectivity and capacity for consensus.

None of this means science is "absolutely true" or that belief is false. But what is true is that science is falsifiable and belief is not. When as an evolutionist I claim man is descended from apes and their historical/biological predecessors, I am claiming something that can be corroborated or falsified by reference to fossil records, genetic affinities, geology and other kinds of empirical data and testable hypotheses. When I claim God created man and then woman from a rib of man, there is no way to confirm or falsify the claim, no "evidence" that can counter what is a subjective belief. One claim invokes science and the possibility of rational agreement; the other, limited to incommensurable subjective beliefs, does not and may provoke violence and war.

Since democracy requires that we agree (or disagree) about facts, policies and outcomes, we must have criteria by which we can rationally agree or disagree about such things. We need science not just to make sense of the world and subordinate it to our purposes but to sustain our freedom. If I claim there is no such thing as global warming (or man-made warming), I must be able to point to data and arguments that you can inspect and judge. I must be able to detach my arguments from my interests. The fact that I profit from oil sales, for example, is not a reason to argue that fossil-fuel use does not cause warming. Conversely, the fact that I benefit from alternative energy technology is not a reason to say warming is real. There must be evidence that is convincing to investors both in fossil fuel and in alternative energy.

Yet what has happened to American democracy is that we have substituted opinion and prejudice for science and reason—or, worse still, no longer recognize the difference between them. Larry King can thus interview both bigger-than-life cosmologist Stephen Hawking and a psychic-for-hire who talks to the dead in a way that suggests there is no difference in their methods. Ghost stories can appear on the History Channel next to World War II documentaries. And candidates can say just about anything impulse dictates, confident that their constituents will have neither an authoritative basis on which to judge nor any reason to think they need one. As Obama learned, many Americans are likely to associate a call for "proof"—for epistemological authority—with "elitism" and suggest that pushing "knowledge" is less a common way to put ourselves in the service of reason than someone's private way of announcing his own supposed superiority.

The great African-American author James Baldwin once said, "People who shut their eyes to reality simply invite their own destruction." Many Americans seem to have turned reality itself into a set of television shows utterly detached from reality. Daniel Boorstin, a former Librarian of Congress, wrote, "We risk being the first people in history to have been able to make their illusions so vivid, so persuasive, so 'realistic' that they can live in them. We are the most illusioned people on earth."

The tyranny most corrosive to democracy is not the tyranny of money but the tyranny of illusion. As Chris Hedges says in his book *Empire of Illusion*, "A populace deprived of the ability to separate lies from truth, that has become hostage to the fictional semblance of reality put forth by pseudo-events, is no longer capable of sustaining a free society."

The November 2 elections were many things: a manifestation of anger and resentment, a tribute to citizen organization, a demonstration of protest politics, an invitation to polarization and a proof of the enduring role of money in politics. But they also offered distressing evidence of our emerging epistemological deficit—a long, destructive erosion of our Enlightenment faith in reason and reasoning and of our willingness to recognize that facts and good arguments must prevail if freedom is to survive. The elections sent a lot of politicians home, but the real loser was democracy. ■

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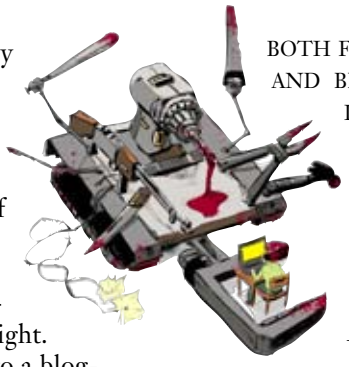
Three Good Men

by JONATHAN SCHELL

The Army intelligence analyst Pfc. Bradley Manning, 22, now in a military detention center charged with having leaked classified documents related to the Iraq War, once explained why he was contemplating his deed. (He is additionally suspected of having leaked the 390,000 documents made public by the whistleblowing solicitor WikiLeaks, but he has not been charged with this.) Manning was not yet in prison or in the media spotlight. He was artlessly and recklessly chatting online to a blogger, Adrian Lamo, who eventually turned him in. Lamo wanted to know why Manning didn't cash in by giving the documents to a foreign power, such as China or Russia. Because "it belongs in the public domain," Manning replied. "Information should be free…because another state would just take advantage of the information…try and get some edge…. It should be a public good."



RYAN INZANA

Manning's breaking point had come when he witnessed the arrest by the Iraqi police of fifteen people for printing "anti-Iraqi literature." He looked the documents over and found them to consist merely of "a scholarly critique" of the Iraqi prime minister, Nuri Kamal al-Maliki. He reported the finding to his American superior, who dismissed it and told him to busy himself looking for more people to detain.

As an intelligence officer with access to secret reports, Manning knew well what happened to detainees in Iraqi custody. They were commonly tortured. A typical example of a report by an American soldier reads:

> {AT 191400C OCT___IN___(ZONE___) IVO___NPTT___THAT-___BDE SPTT-___BDE SPTT CONDUCTED A ROUTINE INSPECTION OF THE -___ [WOLF] BDE DETENTION FACILITY AND IDENTIFIED ONE PROBABLE CASE OF DETAINEE ABUSE. THE ALLEGED BEATING TOOK PLACE UNDER INTERROGATION AT THE--___HQ ON THE EVENING OF ___OCT___. THE DETAINEE WAS BLINDFOLDED AND IS UNABLE TO IDENTIFY THE OFFENDERS. THE DETAINEE CLAIMED HE WAS BEATEN ABOUT THE FEET AND LEGS WITH A BLUNT OBJECT, AND PUNCHED IN THE FACE AND___. HE CLAIMED THAT ELECTRICITY WAS USED ON HIS FEET AND GENITALS, AND HE WAS ALSO [SODOMIZED] WITH A WATER BOTTLE. --___PERSONNEL CLAIMED IT WAS CAUSED BY THE DETAINEE FALLING FROM HIS MOTORCYCLE WHILE HE WAS BEING CHASED BY THE___. THE DETAINEE DISPLAYED GREAT DIFFICULTY WALKING WITH BRUISING AND SWELLING ON THE SOLES OF BOTH FEET. THE DETAINEE HAD LOCALIZED CUTS AND BRUISING ON BOTH LEGS (PRIMARILY THE LEFT), THE LEFT ARM, AND THE LEFT CHIN. THERE WERE NO INJURIES VISIBLE ON THE DETAINEE E___HANDS, UPPER ARMS, TORSO, UPPER LEGS, OR BUTTOCKS. HIS CLOTHING WAS NOT RIPPED OR DAMAGED, BUT DID DISPLAY BLOOD STAINS.

No intervention was attempted by the United States in such cases. The military's Fragmentary Order 242, known as FRAGO 242, dictated that if coalition forces were not involved, no further action was to be taken: "only an initial report will be made.… No further investigation will be required unless directed by HQ." FRAGO 242 is repeatedly cited by military reporters as the reason for doing nothing.

Sometimes, indeed, American or other coalition soldiers threatened Iraqi prisoners with the torture or execution that would befall them if they were turned over to their Iraqi compatriots. One unit created in these years was the Iraqi Wolf Brigade, an elite outfit set up to terrorize insurgents, perhaps in imitation of the death squads that had operated with US connivance in El Salvador in the 1980s. One report describes a threat by an American to turn an Iraqi prisoner over to the battalion:

> DURING THE INTERROGATION PROCESS THE ___ THREATENED THE SUBJECT DETAINEE THAT HE WOULD NEVER SEE HIS FAMILY AGAIN AND WOULD BE SENT TO THE WOLF BATTALION WHERE HE WOULD BE SUBJECT TO ALL THE PAIN AND AGONY THAT THE WOLF BATTALION IS KNOWN TO EXACT UPON ITS DETAINEES [December 14, 2005].

At this time in Iraq, executed victims were being found in the streets with electric-drill holes in their bodies.

American forces were thus routinely handing over Iraqi suspects to Iraqi forces who routinely tortured them, and then nothing further was done. This proceeding did not constitute abuse of some other, better system that provided the rule; it *was* the system—a torture system. Elsewhere in the "war on terror," "extraordinary rendition"—the practice of sending prisoners to foreign countries to be tortured—required long flights on CIA Gulfstream jets. In Iraq it was a matter of walking across the street. In the days leading up to the war, of course, the United States frequently cited the Saddam Hussein regime's practice of torture as a reason for invading. Now America's own client regime was engaging in widespread torture.

Faced with this particular and general knowledge, Manning felt "helpless," he told Lamo. "That was a point where I was… actively involved in something that I was completely against." In sum, Manning found himself in the classic, excruciating dilemma of the decent person enmeshed in an abhorrent

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system, not as a victim but as a perpetrator. By following the rules, he would be an accomplice of torture. Only by breaking them could he extricate himself.

Julian Assange, the nomadic cyber rebel who leads WikiLeaks, was not himself a cog in the machine, but he was of like mind with Manning in regard to individual responsibility. Before he got into the business of disclosing the dirty secrets of governments and corporations, he reflected in an essay, "Every time we witness an act that we *feel* to be unjust and *do not act* we become a party to injustice," adding, "Those who are repeatedly passive in the face of injustice soon find their character corroded into servility." In his own way, he, too, acted. In July WikiLeaks released more than 70,000 secret documents pertaining to the war in Afghanistan, and then came the documentary tsunami from Iraq, which may have, in Assange's words, "constituted the most comprehensive and detailed account of any war ever to have entered the public record."

Assange is not in prison—on the contrary, this tall, white-haired, disciplined, well-spoken and somehow unearthly information guerrilla shows up regularly on television, where he performs with a kind of high-minded, cool scrappiness. But his organization has been cloudily but menacingly designated a "threat to the U.S. Army" in a classified Army document (also published by WikiLeaks), and he is a man on the run, moving from nation to nation in search of safety from possible legal jeopardy. (Assange is under investigation for sexual misconduct in Sweden but has denied all accusations.)

Among the flood of Afghan war documents there happens to be a report on one more instance of a man who, finding himself threatened with participation in the evil-doing of a malignant system, opted to withdraw. In Balkh province, a little more than a year ago, the report disclosed, Afghan police officers were beating and otherwise abusing civilians for their lack of cooperation. The police commander then sexually assaulted a 16-year-old girl. When a civilian protested, the report stated, "The district commander ordered his bodyguard to open fire on the AC [Afghan civilian]. The bodyguard refused, at which time the district commander shot [the bodyguard] in front of the AC." At the time these documents came out, the official reaction to them, echoed widely in the media, was that they disclosed "nothing new." But let us pause to absorb this story. A police officer, unwilling, at the risk of his own life, to be a murderer, is himself murdered by his superior. He gives his life to spare the other person, possibly a stranger. It is the highest sacrifice that can be made.

The man's identity is unrecorded. His story is met with a yawn. But perhaps one day, when there is peace in Afghanistan, a monument will be erected in his honor there and schoolchildren will be taught his name. Perhaps here in the United States, when the country has found its moral bearings again, there will be recognition of the integrity and bravery of Bradley Manning and Julian Assange. For now, the war- and torture-system rolls on, and it's all found to be "nothing new." ■

Letters

(continued from page 2)

horses in transfer trailers is against state laws everywhere, yet these trailers are called the Greyhound lines for stable workers. The good living quarters go to the horses; people don't do so hot. Inside the eight-by-nine-foot tack rooms I have seen as many as four children younger than 3, unattended, on filthy, straw-covered concrete flooring with an electric wall heater of a type not made in the past forty years. The showers are cold water, and women must be alert for rapists. Theft is not worth reporting. Only a few own vehicles. No schools know the children are here; no public health agency gives out inoculations.

If your track worker papers are pulled at one racetrack, get on the Greyhound to another track and start over. Thousands would jump at the chance to work for the "American hypocrite."

Joe Boyle

Rocklin, Calif.

This article, and the TV debate it provoked, sheds no new light on what needs to happen to achieve immigration reform. It merely confirms the sad fact that the immigration debate remains confused, misrepresented and irreconcilable.

Tom McMahon

ACORN—Not Resting in Peace

Montclair, N.J.

Eric Alterman's "Barbarians at the Gate" ["The Liberal Media," Oct. 25] mentions "the mainstream media's role in empowering this bizarre barrage of BS" that comes from the right-wing echo chamber. My book *Seeds of Change: The Story of ACORN, America's Most Controversial Antipoverty Community Organizing Group* shows that in this case, when the *New York Times*, CNN and the *Washington Post* empowered the Murdoch-led echo chamber, they aided and abetted the destruction of the country's most effective antipoverty group, ACORN.

John Atlas

How Do You Pronounce That, Anyway?

Kensington, Md.

Rarely do we see an opportunity to improve Calvin Trillin's deadline poems, but the one in the October 4 issue begs for a different final line. As published:

It couldn't be plainer.
It's just a no-brainer.
The fat cats own Boehner.
He's on a retainer.

We suggest the following last line:
Down to the last donor.

Andrea Medici, Carl Eichenwald

Correction & Emendation

Re Christopher Hayes's "The Perriello Way" [Nov. 22]: Dick Armey is not affiliated with Americans for Prosperity; he is chairman of the board of FreedomWorks. We regret that in the heat of the election returns we got our corporate-backed right-wing front groups confused.

Peter Dreier, in "The Fifty Most Influential Progressives of the Twentieth Century" [Oct. 4], states that Walter Reuther was an early opponent of the Vietnam War. Although his brother Victor said he was privately against the war, Reuther chose to support Johnson administration policies in Vietnam, if only because he saw LBJ as an ally on collective bargaining and domestic reform issues of vital concern to the UAW.

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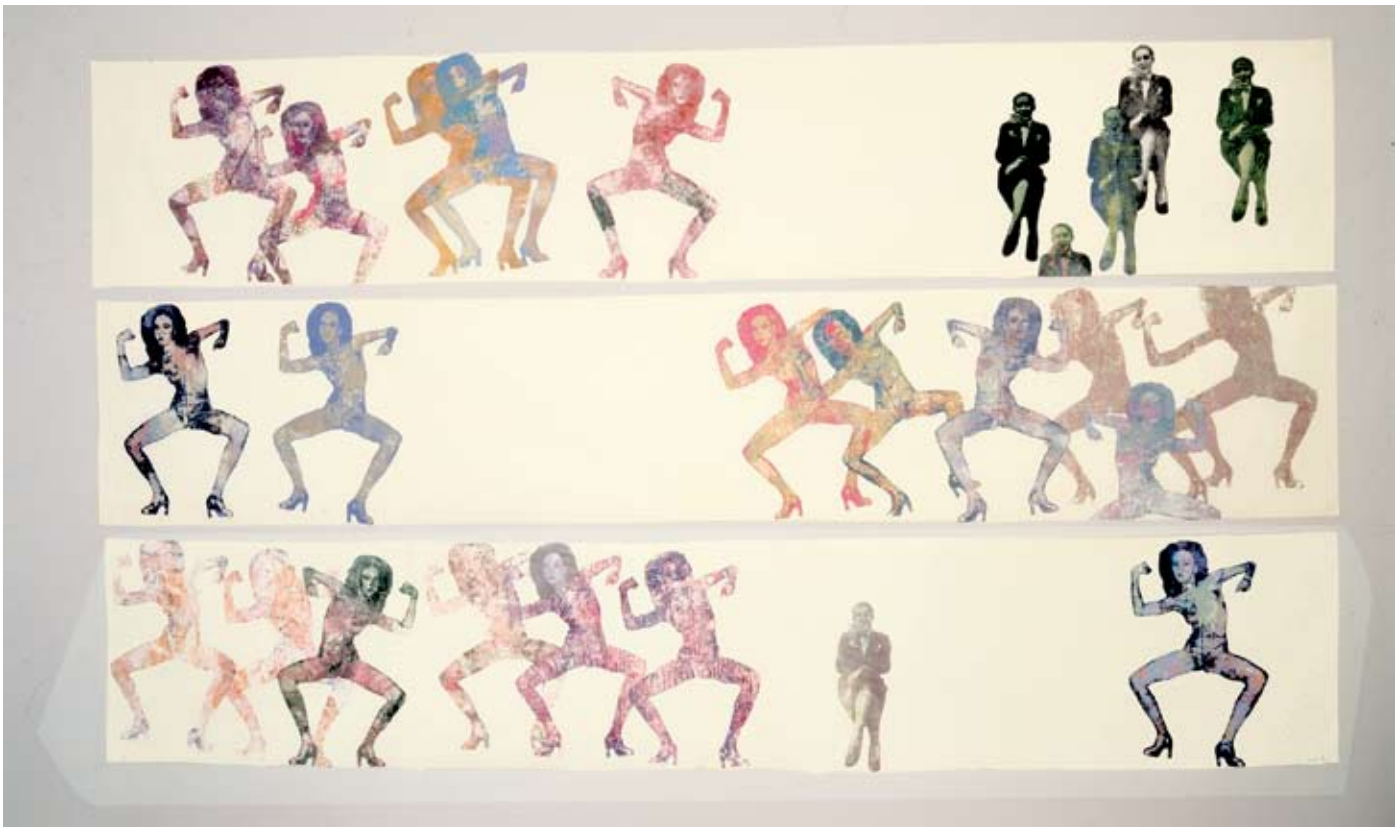

PRESTEL

The Cabaret (1991), by Nancy Spero

No Images of Man

by BARRY SCHWABSKY

"The limits of my language," Ludwig Wittgenstein famously declared, "are the limits of my world." One of the most notorious limits of our language, and one that has done much to limit our world, is "man" being the embodiment of humanity. That the pronoun "he" can represent indifferently "he" or "she," that "man" represents "man" or "woman": these are grammatical traces of the phenomenon that Simone de Beauvoir made the starting point of *The Second Sex* more than sixty years ago: "humanity is male and defines woman not in herself but relative to him."

Seen in this light, when Nancy Spero began using only the female figure in her paintings in 1976—paintings that by this time were more like what most people would call drawings—she was doing more than simply adjusting her pictorial style or focusing her subject matter. As Spero explained a few years later, "I decided to view women and men by representing women, not just to reverse conventional history, but to see what it means to view the world through the depiction of women." That is, she was trying, in the way that was open to her as an artist, to change language, to pictographically use "she" or "woman" as her universal term. Her goal was not to overturn the hierarchy and put women on top, because she knew from experience that the effort to make a particular term play the part of the universal could lead only to violent contradiction; rather, she was doing it speculatively, as a thought experiment, in order to see differently, to push back the limits of her world.

The idea of eliminating "man" from painting was not new; what was original was Spero's realization that this could be done by interpreting "man" to mean "male." In 1959 New York's Museum of Modern Art mounted an exhibition called "New Images of Man," focusing on the figurative expressionism that was an important part of the postwar scene, thanks in part to the work of Francis Bacon, Jean Dubuffet and Alberto Giacometti. For Paul Tillich, writing in the catalog of that exhibition, the assumption was that when, "in abstract or non-objective painting and sculpture, the figure disappears completely," the reason is that man is "losing his humanity and becoming a thing amongst the things he produces." The new figurative artists, he suggested, acknowledge this danger and protest against it. Among the younger artists included in the MoMA show was Spero's husband, Leon Golub; her work would have fit just as well.

For the most influential tastemakers in New York, the exhibition was a fiasco, the ideas behind it indefensible; abstraction was the only way forward. As Christopher Lyon writes in *Nancy Spero: The Work* (Prestel; $85), a comprehensive study of the artist, "The

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event was attacked by critics as a retrograde exercise and was a professional disaster for Golub, who was ferociously criticized by William Rubin, then a professor at Sarah Lawrence College and later the powerful director of the museum's Department of Painting and Sculpture." Rubin, the champion of such contemporaries as Jasper Johns and Frank Stella, singled out Golub's work as "inflated, archaizing, phonily expressive, badly painted."

As hard as this must have hit Golub, it could have affected Spero no less acutely. In interviews Spero never hesitated to admit that much of the anger that fueled her early work was caused by the feeling that her art was being ignored, that she was being silenced by an unsympathetic art world—a "very painful, personal experience." At this point, not only an artist but also a wife and mother in a world not yet shaken by *The Feminine Mystique*, she might have stifled whatever resentment she must have felt that her husband had been chosen for the prestigious museum show and not herself. But seeing the high price Golub had to pay for this recognition would have been doubly painful, adding guilt to her other hard-to-acknowledge feelings. Perhaps it was then that Spero began to question the language according to which, as Tillich's almost comically gendered language would have it, "Whenever a new period is conceived in the womb of the preceding period, a new image of man pushes towards the surface and finally breaks through to find its artists and philosophers." Whatever the case, Spero would later show that it was possible to make important paintings, not with new images of man but with no images of man.

On the face of it, Spero's sacrifice of the male figure was hardly as radical a restraint on her pictorial language as that achieved by some abstractionists, but in her hands the artistic consequences of this reduction were enormous. Ironically, some women had a harder time with her work than men did. In the 1980s young feminist critics enamored of the new photographically based art of Cindy Sherman and Barbara Kruger dismissed Spero's hand-rendered, historically grounded, woman-centered imagery as promoting essentialism, a charge the artist hotly denied: "I try to indicate the range of differences as coded in a variety of female images," she maintained. "I try to emphasize this diversity, sometimes with shocking contrast and disjunctions." Although Spero rightly thought of herself as bucking most of the artistic trends of her time—above all abstraction, in the 1950s, when she was a young artist finding her way, and later, in the '70s, conceptual art—her wager that she could expand her art by reducing it to an essence was the consummate Modernist move. Piet Mondrian, for instance, never felt that by eliminating representation, by eliminating lines other than horizontal or vertical, and colors other than the three primaries plus black and white, he was narrowing his art. On the contrary, through this "elementarization" he hoped to make his art as universal as possible, and in such a way that he could practice it with complete freedom and spontaneity. Spero's gamble in sacrificing the image of man was much the same, and like Mondrian's it paid off.

Can Spero's site-specific wall paintings ever be remade without her?

Unfortunately, the exhibition of Spero's work on view at the Centre Pompidou in Paris through January 10 (curated by Jonas Storsve) showcases only part of her achievement. Though billed as a retrospective, it's not. A viewer's first reaction might be disappointment at the show's scale: there are just four rooms with sixty-two works, all on paper. But for such a small show, it's very big. The more attention you give it, the more its density and breadth become apparent.

The restriction to works on paper is not the problem. It reflects a turn in Spero's career nearly as important as her decision to eschew the male figure. In 1966 she stopped working on canvas and started working on paper—though she continued to refer to her works as paintings. For two decades paper was her exclusive medium, until she began making site-specific wall paintings in the late '80s. Lyon calls these latter works "peripheral monuments," evoking "images glimpsed at the edge of vision, fragments that seem to be remnants of a vast ruined fresco, of which just a few figures survive." Usually they were temporary, painted over at the end of an exhibition. Planning for the exhibition at the Centre Pompidou began while Spero, who died in 2009, at 83, was still alive; perhaps if she were still with us she would have supervised the installation of one or more such wall works. I can't help wondering whether they can be remade without her—or will they be known henceforth only through period photographs?

More surprising, especially for viewers looking for an overview of Spero's work, is the show's near-exclusive focus on the early and late phases of her career and its neglect of what came in between. As if to illustrate the truism that there are no second acts in American lives, Storsve stages only the first and third acts of Spero's career. There are fifty works dated between 1956 and 1974 and ten finished between 1997 and 2002, with just one each from 1978 and 1986 to fill in the gap. In sum, fifty of the sixty-two works on display date from before the period when women became the universal protagonists of Spero's art.

However questionable this may be from the standpoint of showing Spero's development, it dramatizes the enormous change her work underwent over the years. In the first three rooms, covering the period through the 1980s, color and imagery are sparse; in many of the works through 1960 the figures—pairs of lovers, a mother and child—almost disintegrate into a brownish-gray haze. Of the paintings from these years, Spero recalled, "The figures would become obscure and they would merge with the background." But it seems more accurate to say that, at least in some of them, the figures are so buried in the surrounding murk that they become its background. By the mid-'60s, this gloomy haze had lifted. The works of this period, with few exceptions, are dominated by the white of the paper. The imagery and inscriptions that were becoming more important components of the works seem to sit uneasily on these sheets in a frail and transitory state. The images are like discrete, punctual cuts or holes in the continuity of space.

In the fourth room—which is dominated by the vast, thirty-nine-part (some 280 feet long) cycle *Azur* (2002)—there is a new density of imagery, and with it the grandeur evoked by a rich sense of color. By this time, Spero was working with an alphabet of hundreds of female hieroglyphs, some of her own invention, many drawn from the furthest reaches of cultural history. No longer reactive to a text, cut free from any narrative, the figures mingle in uninhibited visual converse. The work illuminates the actual space of the room, taking on "the fragile, naked radiance of what is newly born and utterly alone." The words are those of Pierre Schneider, speaking of the late cutouts of Henri Matisse. I'm not evoking a comparison with Matisse simply in order to lend Spero some of the reflected luster of a great name—she hardly needs it—but because her effort to unmoor painting from the Western tradition finally did converge with Matisse's earlier one. It's a surpris-

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ing connection. When MoMA mounted a Matisse retrospective in 1993, Spero was scathing about the way, at a certain point, "Matisse seems to disengage from experimentation and assume the position of the maître," resulting in an art in which the "world is extraordinarily unreal, sealed, everything is under control." Spero complained as well that "in many works the model appears to be featureless," assuming this featurelessness entailed disposability. Matisse explained it differently. "The face is anonymous," he said, "because the expression is carried by the whole picture." Spero, too, often sought such anonymity in her work. "I am not interested in individual physiognomies or personifications," she wrote. "The work deals with the rhythms, stylizations, often distorted or exaggerated variations or contrasts of body types from disparate cultures." Expressive anonymity was part and parcel of both Matisse's and Spero's efforts to liberate painting from the constraints of the easel picture and allow it to interact more freely with architecture; it also grew from the concerted effort each of them made to inform their work with a kind of total art history in which the European classical tradition would be only one strand.

Spero's late work embodies a sense of relief. 'Sisters, we must live!' could be its motto.

And isn't Spero, after Matisse, the great painter of the dance? She depicts two sides of female experience—torment and victimization, on the one hand, but also activity, untrammeled movement, the celebration of one's own energies, on the other. Although her work never forgot the victims, not for a minute, with time the celebratory, even utopian side of the equation took precedence. Still, the solemnity of the luxuriant color of late works like *Azur* suggests that even the celebration of sensuality can be mindful of all that has to be overcome in order for that celebration to be justified. But there is lightness too, albeit less than in Spero's late wall paintings, with their more transparent colors amid expanses of white that remain unbounded. (In this they are nearly the antithesis of the long scroll-like forms Spero made in the 1970s, which are works dominated by the white of the paper, where the extendibility of the format mainly evokes the possibility of elaborating more numerously and in greater detail the crimes being protested.) Matisse, speaking of his chapel in Vence, explained, "This lightness arouses feelings of release, of obstacles cleared, so that my chapel is not 'Brothers, we must die.' It is rather 'Brothers, we must live!'" Spero's late work embodies this same sense of release. "Sisters, we must live!" could be its motto.

A more complete exhibition than the one at the Centre Pompidou would undoubtedly give a better articulated sense of how protest and celebration intertwined in Spero's work through the decades, of how the antagonistic fury of the '60s and '70s was subsumed (but not subdued) into the Dionysian art of the new millennium. "Woman in Motion," a smaller show in Paris, at Galerie Lelong, with a dozen or so works, offers at least a few more glimpses of Spero's direction in the '80s and '90s. But the Pompidou show, with its emphasis on her early work, draws more attention to the protest. Protest is as muted as possible in the unspecified existential gloom of the work from the late '50s. There is something tragic about these faceless lovers, as if they are surmounted by a destiny that surrounds them like a cloud of poison. Spero's discovery of a political reason for tragedy, in her antiwar drawings of the mid-'60s, brought new clarity. New energy too: the difference between the two bodies of work is the difference between a postcatastrophic state from which escape is no longer possible and a situation in which a shrill warning still might help make a difference.

In 1969 Spero found a new focus for her imagination: the figure of the French writer and director Antonin Artaud. He was the inspiration for two works: the "Artaud Paintings" (on paper, of course) of 1969–70, a series of ninety pieces from which Storsve has selected fifteen; and the "Codex Artaud" (1971–72), a series of thirty-seven collages of which seven are on view. Spero saw Artaud as "having uttered the most extreme expressions of dislocation and alienation in the 20th century. He represents himself as the victim par excellence. While violent in gesture and language, he is masochistic and passive. Nevertheless, he plays the part of the female victim." Spero's identification with Artaud was aggressive, even vengeful, in the sense that she understood that he would have seen it as a violation; a misogynist, he "would have hated a woman re-using his language and shifting his implications."

Lyon rightly calls the Artaud works "the pivot" of Spero's career. The "Artaud Paintings" look back at the anguished protest of the "War Series" and the anomie of the work of the '50s, in some measure combining them, but still within the confines of work entirely painted (and also written) by hand. "Codex Artaud" looks forward to Spero's later work. Its scroll-like accumulations of sheets show her chafing at the limits of the pictorial rectangle and reaching toward a different conception of pictorial space that is scattered and nonhierarchical. Also, the hand of the artist is put at a remove. The texts are not handwritten but typed, usually on a "bulletin typewriter" meant for preparing notices to be read at a distance, and the images are not painted directly onto the paper but collaged onto it; the images are also often repeated with small variations, anticipating the use of printing in her later works.

A codex is quite simply a book (as distinguished from earlier textual forms), but the word is usually used to refer to handwritten books such as those of the Middle Ages. The name "Codex Artaud" calls attention to the booklike status of the works as carriers of text and image on multiple pages, but their display on the wall contradicts this. A scroll, unlike a bound book, can be displayed at once in its entirety. It exists somewhere in between the distinct forms of the book and the self-contained picture. Of Spero's work in this new format, *The Nation*'s art critic at the time, Lawrence Alloway, wrote, "It expresses ideas no less ambitious than painting and on a scale comparable to sculpture. There has been a dilation of drawing to room size, as in the wall drawings of Sol LeWitt.... Spero expands collage to environmental scale without losing that subtle fragmentation of diverse parts central to the tradition of collage."

There is something a little bit perverse about packing such an expansive work back into the delimiting form of a book, but it's hard to be too critical of another recent publication that does just that. *Torture of Women* (Siglio; $48) reproduces one of Spero's most important works of the 1970s, along with several texts including an interpretive essay by Diana Nemiroff, the Canadian curator who acquired *Torture of Women* for the National Gallery of Canada. In book form, spread out over some 100 pages of reproductions, the fourteen panels become far more readerly than they must be when displayed on walls; the exquisite balance between image and text is upset. By the same token, the unavoidable reaction of averting one's eyes, and skipping over some of the horrifying stories of political torture taken from a 1975 report by Amnesty International, becomes harder to maintain. I won't quote any of the stories here, but I instead reproduce Spero's citation of the

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Gary Null Returns to WBAI Radio

NEW YORK – Award winning radio host Gary Null – whose *Natural Living* show has been the No.1-rated health program on public radio for over 35 years – is returning to WBAI/Pacifica Radio, in New York, on Monday, November 15th.

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Gary Null is one of the most respected voices in the field of Alternative medicine and natural life styles. An award-winning journalist, he is also a *New York Times* best-selling author of more than 75 books on public health, nutrition, stress management, anti-aging, and self-empowerment. His frequent Heath Specials for PBS-TV stations reach millions of viewers.

Null is also winner of more than 20 Silver Microphone Awards for bradca exc, and his thought-provoking film documentaries – which challenge the "conventional wisdom" about AIDS, Autism, medical malpractice, Gulf War Syndrome, and other controversial issues – have won prizes at major film festivals throughout the world.

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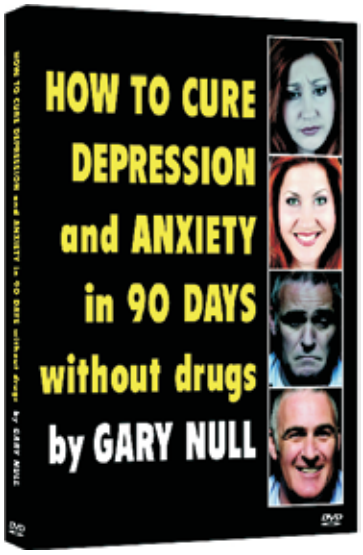

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Babylonian tale of the god Marduk and his defeat of the female monster Tiamat—a text also used in part in her 1986 work *Marduk*: "marduk caught tiamat in his net and drove the winds which he had with him into her body and whilst her belly was thus distended he thrust his spear into her and stabbed her to the heart and cut through her bowels and crushed her skull with his club. On her body he took his stand and with his knife he split it like a flat fish into two halves and of one of these he made a covering for the heavens."

As Spero juxtaposes ancient myth with contemporary crimes of the state in Vietnam, Chile, Uruguay, Iran and elsewhere, one might be tempted to imagine that she is pointing to the grim notion that hatred of women, a recurrent male need to take his stand on her body in order to create the glorious mantle of the sky, is an unchangeable archetypal pattern destined to be reproduced in different forms. Nothing could be further from the truth. The accusatory vehemence of Spero's testimony, and the subdued visual presence of the goddesses and other female figures who serve as witnesses, remind us that judgment has yet to be rendered and suggests that one day it will. ■

The View From the Top Table

by STEFAN COLLINI

Toward the end of his life, George Orwell declared that his overriding aim had been "to make political writing into an art." The more we ponder this celebrated phrase, the more problematic it comes to seem. There is the initial question about what it could mean to make such writing into an art ("into an art," not "into Art," suggesting something nearer to cookery than to ballet). Orwell's syntax also makes us wonder what this sort of writing had been before, such that he needed to effect this transformation on it. (Or is it just the transformation of his earlier political writing?) Any writer can, of course, have more than one goal in mind at the same time, but the phrase also prompts us to consider whether this was the best, or even an appropriate, way to describe, say, Orwell's revelations about the Communists in the Spanish Civil War or his denunciations of the "russophile intelligentsia" at home? What relation had this overarching aesthetic project borne toward the more immediate purposes of getting some facts known and some untruths exposed? Is more artful or artistic political writing likely to achieve these goals more effectively, or the reverse? Orwell was famously the apostle of "plain speaking," telling it like it is, but perhaps, we come to think, that is not quite such a straightforward matter. Perhaps it requires no little art if we wish to be plain.

"Political writing" is the label Timothy Garton Ash applies to *Facts Are Subversive*, a selection of his work from the past decade,

Facts Are Subversive
Political Writing From a Decade Without a Name.
By Timothy Garton Ash.
Yale. 440 pp. $35.

and he is explicit about his indebtedness to, and admiration for, Orwell. Garton Ash identified his life's work with some precocity: "In the long summer after I took my first degree at Oxford, I read the whole of Orwell's work, read him self-consciously as example and guide for a would-be writer." He then sought out some very Orwellian subjects to write about—East Germany in the grip of the Stasi, Poland in the heady days of Solidarity, Czechoslovakia during the Velvet Revolution of 1989. He wrote from the front line, having become friends with several leading Eastern European dissidents, but he also wrote as a trained historian. In the 1990s he went on to cultivate this dual identity in relation to other political and military hot spots in Europe, notably the Balkans. By this point he held a fellowship at St Antony's, the Oxford postgraduate college that specializes in the politics and cultures of, essentially, the non-Anglophone world, and he had begun to contribute long, vivid, well-informed essays to *The New York Review of Books*. In addition to more detailed historical monographs, he also published collections of his occasional writings, beginning in 1989 with *The Uses of Adversity*, followed eleven years later by *History of the Present*. The latter volume contained a spirited defense of the "hybrid" enterprise he was engaged in, falling across and between journalism and scholarship, usually combining firsthand reporting with in-depth analysis.

Since that last collection, he has extended his geographical range well beyond Europe, writing increasingly about the United States (since 2000 he has held a part-time appointment at the Hoover Institution at Stanford) but also about Brazil, Iran, Burma and elsewhere. Above all, the past decade has seen him addressing the many cultures and questions folded into the term "Islam," whether pondering sympathetically the plight of poor immigrant communities of Muslims in Europe or the larger geopolitical questions focused around "terrorism." And since 2002 he has had a regular column in the *Guardian* that is syndicated to various publications across the world. So he is now acknowledged as an influential commentator on international politics, invited to advise heads of state almost as often as he is asked to speak to packed auditoriums around the globe.

The appearance of this third collection is an occasion for asking how far Garton Ash has made political writing into an art, and indeed, to what extent that is a desirable goal. American readers may be forgiven for thinking that it is a kind of writing on which the English have something of a corner—though, interestingly, few of the leading contemporary practitioners are in fact Anglo-English. For example, Ian Buruma is Anglo-Dutch, Perry Anderson Anglo-Irish; Tony Judt (who died in August) grew up in England as the child of Russian Jews before spending the later decades of his life in the United States. Garton Ash is at least as cosmopolitan as any of his peers (a better linguist than many, better traveled than most), though he is the only one who is Anglo-English and has remained tied to Oxford. This company also helps identify some of Garton Ash's distinctiveness: he is, for example, less of a storyteller than Buruma, less analytical and Olympian than Anderson, less angular and polemical than Judt. His forte is the exceptionally well-informed, vivid account of the personal, cultural and geopolitical elements at work at a moment of political decision in a country most of his readers previously knew little about. His writing is more personal and more dramatic than that of most historians, but more scholarly and more comparative than that of almost all journalists.

For all his admiration of Orwell, Garton Ash is a very different type of animal. He is a historian-journalist, not a novelist-journalist (or at least if he does write fiction he has yet to publish any of it). He is an academic, albeit of an unconventional kind, as well as, increasingly, a familiar

Stefan Collini's Common Reading: Critics, Historians, Publics *was published in paperback last year.*

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of those who exercise power. It is almost impossible to imagine Orwell as a professor at an Oxford college or hobnobbing with world leaders. Though an Old Etonian, Orwell contrived to view the world from the bottom of the social heap as often as he could, living as a tramp in England, a *plongeur* in Paris, a volunteer in Spain, and cultivating his spiky isolation, ultimately retreating to the remote Scottish island of Jura. Garton Ash is far more *mondain*: his is the view from the top table, though with a hot line to the leading dissidents (especially the *leading* dissidents) and backed up by visits to villages and shantytowns. He nicely refers at one point to Orwell's "sandpapery charm," but his own is silky smooth, scarcely ever abrading the reader's sensibilities. I wonder whether he is not a little torn between the glamour of being acknowledged as one of the world elite, rubbing shoulders with the powerful at the World Economic Forum at Davos and so on, and the alternative glamour of being the graduate student who was spied upon by the Stasi (this is his equivalent of Orwell's bullet in the throat on behalf of the Republican side in the Spanish Civil War).

A figure he admires scarcely less than Orwell is Isaiah Berlin. In reviewing a collection of Berlin's early letters, Garton Ash probes the identity of the almost ostentatiously Anglicized, indeed Oxfordized, Russian Jew, citing Berlin's sense of himself as a "Metic" (an alien living in an ancient Greek city who was not a citizen). And then suddenly Garton Ash breaks in with: "Often the difference between an academic and an intellectual lies precisely in this stubborn grain of alienation. All intellectuals are mental Metics." It's a common enough contention; the second sentence needs only "Discuss" after it to become an ageless exam question. But is it true of Garton Ash? I know nothing of his biography except what is easily available in the public domain, and there may be deep rather than merely contingent explanations behind his having a Polish wife and spending much of his late 20s and early 30s in Central Europe. But just going by his published persona, the "stubborn grain of alienation" would be hard to identify. It's true he is more international in his outlook than many educated Englishmen of his generation, but he is scarcely unique in that, even if exceptionally impressive in his range. In Garton Ash's case, I suspect (this is pure speculation on my part) that his "alienation," such as it may have been, was less from the norms of educated English culture than from the limitations of academic research. Not—as he makes clear a little too frequently and insistently—that he has been at all tempted by any postmodern playfulness about the status of objective truth; the title of this volume bespeaks his continuing empiricist confidence on that score. But he appears always to have possessed the kind of restless curiosity, literary energy and fascination with the here and now that might have found the protocols of conventional historical scholarship a little too constraining. In this, as well as in his cosmopolitanism and his confidence, he may resemble another of Berlin's great admirers, Michael Ignatieff.

To range oneself alongside such figures as Orwell and Berlin is to declare oneself a certain kind of "liberal," as well, perhaps, as a particular kind of anticommunist insofar as that is still a relevant identity. Garton Ash speaks up eloquently for legal and political freedoms in places where they are conspicuously lacking (most obviously in Burma and Iran), but he is a little less forthcoming about his understanding of the relations between liberty, on the one hand, and economic forces, on the other. He eschews any theorizing about this, reasonably enough given the constraints of journalism, but his passing comments suggest that he believes that "free markets" are the essential precondition of "free individuals," a view that may be axiomatic at the Hoover Institution but that, from the standpoint of some other (European?) traditions of political thought, may seem closer to the IMF than to J.S. Mill.

Ruminating on capitalism's global triumph, Garton Ash observes, "Most anti-globalists, *alter-mondialistes* and, indeed, green activists are much better at pointing out the failings of global capitalism than they are at suggesting systemic alternatives. 'Capitalism should be replaced by something nicer' read a placard at a May Day demonstration in London a few years back." He ends his paragraph there, without offering any further comment on the placard's slogan. This led me to wonder why he had quoted it. Does it seem to him to clinch his argument, to sum up the ineffectual yearning behind most anticapitalist sentiment, self-condemning in its feebleness? Or, assuming wit and playfulness on the part of the slogan's author, does he quote it to endorse a rueful or knowing sense of being stymied, sending up one's own lack of realistic proposals? (Does he, for that matter, rule out the possibility that it was the work of an anarchist infiltrator, satirizing and thus hoping to subvert the protest?) Does Garton Ash, I wonder, really want capital-

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ism to be replaced by something nicer? Most of the time he seems pretty happy with capitalism as it is.

Although his reach is now global, Garton Ash still writes with particular authority on Germany and Eastern Europe (his essay on Günter Grass's belated revelation of his time in the Waffen-SS is perhaps the most compelling piece in the book, clear-eyed about the damage to the novelist's moral stature yet charitable about the pressures and confusions behind this representative German experience), and the anticommunist movements of the late cold war era remain important points of reference: "1989 established a new model of nonviolent revolution that now often supplants, or at least competes with, the older, violent model we associate with 1789." He also writes well about the European Union, why it's necessary and how it's flawed. He argues that it doesn't require some additional kind of "Euronationalism" or historical myth on the lines of "From Charlemagne to the euro" to make it work better, but it may require more democracy. He astutely emphasizes that the power of the EU is at its greatest over those states that are on the point of being considered for membership and are therefore keen to acquire the necessary democratic and liberal credentials. And he has a lovely little tongue-in-cheek riff on the country that would make "the perfect EU member," the country that already has all the ideal political, economic and cultural qualities, including a commitment to using two of the major European languages, a willingness to contribute to peacekeeping and a suspicion of encroaching American influence. Also, its people are notoriously nice, though they do live rather a long way away from Europe. (Has anyone not got the joke yet?)

Since political writing is not itself a single form, we have to recognize that this collection comprises examples of three genres: the longish review essay, the public lecture and the regular newspaper column. They involve different opportunities and constraints, each requiring a different voice or relation to its implied reader. Garton Ash is very good at all three, spectacularly so with the review essay, but they do not all translate equally well into book form. There is no problem with the longer review essays. The lectures mostly survive the transition well enough, though readers of the book version are bound to feel they are hearing an echo of an occasion that had its own remit and its own intimacy. But the columns? The column is the adrenaline shot of opinion that we fuel up on at breakfast or on the commute to work; it's the fast food of the mind. Served hot, it has a useful function; but served cold?

Contemporary "serious" newspapers carry a lot of columnists, and perhaps, as breaking news becomes easily available in other forms, the columns will be more and more the Unique Selling Point of the individual paper (perhaps they are already). The column is a handy pulpit, but the requirement to preach when the appointed day comes round, whether or not the columnist has anything new or important to say, can be damaging to one's intellectual and literary judgment. The condition diagnosed as Compulsive Columnist Disorder may set in: the writer can't help expressing confident and authoritative-sounding views upon almost any subject. Garton Ash often has something important to say, and he strikes me as one of the best exponents of this peculiar craft currently writing in the British press (I speak here as a regular reader of the *Guardian*). But even he cannot escape the *déformation professionelle* of the trade.

Garton Ash has always been an accomplished writer, and his virtuosity is frequently on display in this collection. For example, on seeing young men in Burma wearing Western clothes: "A few already wear their baseball caps reversed: globalization's moronic meme." The deft use of the colon adds a kind of laconic force to the sigh here, the better to allow the alliteration to do its rhythmic work. Or again, he describes how, reading his own Stasi file, he was "deeply stirred by its minute-by-minute record of my past life: 325 pages of poisoned madeleine." But it is a question, to say the least, whether the ready availability of a column has had a salutary effect on Garton Ash's style. His sentences now tend to be short enough and clear enough to win approval from the most grizzled sub-editor, but this is not always a virtue. I have to say I frequently had the opposite reaction to the one we all tend to have when reading Henry James: I longed for a few subordinate clauses. For example: "The facts themselves must be checked against all the available evidence. But some are round and hard—and the most powerful leaders in the world trip over them. So can writers, dissidents and saints. There have been worse times for facts." And so on. There's nothing technically wrong with these sentences (journalism can stand a few "sentences" that contain no finite verb), but the effect starts to become monotonous and uninflected. There is this. There is that. And there is something else.

Even Garton Ash occasionally displays some of the secondary symptoms of columnitis: trite phrases, tired clichés and egregious puns (when his piece on Isaiah Berlin's letters appeared in the *NYRB*, it was certainly not titled, as it is here, "Ich bin ein Berliner"). At the end of his admirable discussion of the need for European citizens of non-Muslim background to forestall the slide into disaffection and extremism by

The Oldest Romantic

Why didn't you warn me
of the arm's smoothness in its dormitory,
where it enters the roundness of the shoulder,
my eyes locked open.

What made you think I'd forget
the lure of the long gaze when you look back at me
with that shadow under your arm
when the sun is low…

Why didn't you believe it exists,
the breathing in the lung under the arm,
you alone with the vacant pain in one eye,
the triangle of dark under you?

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everyday acts of welcome and respect, he asks whether it is still possible that they will rise to this challenge, and answers, "Yes, but it's already five minutes to midnight—and we are drinking in the last chance saloon." In this case, the double cliché is doubly disturbing: the jacked-up alarmism of the columnist is bad enough, but in addition the slackness of the clichés undermine the moral strenuousness he is attempting to encourage. Or again, when reflecting on the changes that have come over Europe in the past half century, he writes, "Most Europeans now live in liberal democracies. That has never before been the case; not in 2,500 years. It's worth celebrating." Well, perhaps, but what could the emphatic gloss "not in 2,500 years" actually mean? There weren't exactly a lot of "liberal democracies" around for the first 2,300 years of that period; indeed the concepts of "liberal" and "democracy" were scarcely current except in peculiar and now archaic senses of the words. Not only does this seem triumphalist whiggism of an uncharacteristically simple-minded kind, but it echoes the cadence of stump oratory.

It is hard not to feel, in reading the shorter pieces gathered here, that a certain forced punchiness is the stylistic correlative of his confidence that there is a right course of action in world politics and that we (whoever "we" are) are the ones to undertake it. To his credit, he reproduces the piece he wrote for the *Guardian* on the eve of the decision to invade Iraq, in which he summarized the arguments for and against, concluding inconclusively that "I remain unconvinced of the case for—and doubtful of the case against." With hindsight, he concedes that the arguments against invasion have stood up to analysis, and to events, a hell of a lot better than the arguments for, and that many Iraqis believe that things in their country were worse subsequently than under Saddam. Nonetheless, he reflects—and I respect his honesty as well as his principles here—"I still defend the right of the commentator not always to take sides, but in this case I got it wrong. Next time, I shall need a great deal more convincing. I'm not alone in that."

So far, so admirable. But the brevity of the form leaves us wondering whether Garton Ash endorses what appears to be the implicit premise, namely that the United States, or any other powerful country acting unilaterally, has the right to play the role of the world's disciplinarian. In his original article he took Tony Blair to be acting as "a Gladstonian Christian liberal interventionist." That's a pretty fancy gloss on what looked to many people even at the time to be unjustified, overconfident disregard for the lives of citizens of another sovereign state with whom Britain was not at war. The issue was, needless to say, very complex, but perhaps the quoted phrase obscures rather than illuminates the real issues. Insofar as one can draw parallels, one can perhaps imagine Gladstone authorizing a military expedition to protect British subjects or to help rescue persecuted Christians, but that's a long way from the desolation visited upon contemporary Iraq largely because Britain's more powerful ally felt it needed to do *something* in the wake of the 9/11 attacks.

Garton Ash, I should make clear, is very far from being one of the intellectual cheerleaders for Pentagon hawkishness. He is not to be counted among those liberals who were Bush's "useful idiots," and since 2003 he has been clear and emphatic in his negative verdict on that administration's foreign policy. He recognizes what is so misleading and so dangerous about the idea of a "war on terror" (at most, "it's a war to prevent such people wanting to become terrorists in the first place"), just as he will have no truck with those calling for a secular jihad against "Islamofascism." His views are measured and thoughtful, even if they do not always command agreement. What I am pointing to is not a ground for disagreement, especially in this particular case, which involved a difficult decision about which opinion was very divided at the time. What I'm pointing to, rather, is the brisk confidence with which he draws up the moral balance sheet on very complex issues and the taken-for-grantedness of the assumption that there exists a power with the agency, and the right, to try to arrange the pieces on the global chessboard to produce the "correct" answer. He emphasizes that he favors the "promotion" of democracy and does not think we should "sit on the sidelines and jeer" at the United States when its attempts turn out badly. But if we restate this sentiment in less pejorative language, do we not think it is one of the tasks of the independent commentator to remind governments of the limits of their knowledge and the frailty of their designs? This is not the same as head-in-the-sand irresponsibility or purer-than-thou moralism; it is, rather, a matter of being true to one's intellectual vocation. There may be times when it might be better to decline the invitation to pronounce or to advise the powerful, not just because a region or a problem may be beyond one's

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competence but also because briskly identifying the lesser evil tends to be habit-forming, working at the expense of that more extended brooding on a subject that not only probes beneath the surface of the evidence but also puts pressure on one's own intellectual categories.

This is not about the seductions of power; it is about the seductions of the pulpit. In an ideal world (perhaps that same world in which Canada could become a member of the EU), one might imagine Garton Ash taking a sabbatical from opinion for a while, a vow of journalistic silence. Perhaps he could withdraw to a (well-appointed) cave in North Oxford and brood on questions of agency and causality, on issues of language and description, on the relations between the roar of the world and the whisper of thought. Perhaps a different form of that "stubborn grain of alienation" would help. After all, the slow food movement needs its slow thought counterpart. There are few better practitioners of the genre of "analytical reportage," as he calls it, than Timothy Garton Ash, and I admire the boldness and energy with which he has cultivated this particular métier. I would admire him still more if, when assembling his essays in book form, he concluded that even his best columns should not be subjected to the rigors of a curtain call. ■

The Wild Desire to Leave

by BENJAMIN NATHANS

Leonid Brezhnev had a problem. "Zionism" was complicating plans for his historic first visit to the United States in June 1973 to meet with President Nixon. At a Politburo session in March he asked his comrades why such a fuss was being made about Soviet Jewry. "Our whole policy on the Jewish question is formulated by Dymshits alone," Brezhnev insisted, "so you can't say we're keeping the Jews down. Maybe we need to exercise our brains a little on this one?" Veniamin Dymshits, deputy chair of the Council of Ministers and the highest-ranking Jew in the Soviet government, hardly had any answers. Two years earlier he had written the following in a memorandum to the Communist Party's Central Committee:

> Zionist propaganda presents figures in the tens of thousands for the number of families who allegedly wish to emigrate to Israel. It is difficult to believe this, but the question arises: has anyone tried to investigate the details, on location, regarding the people who have submitted applications to leave? Who on earth are they? Why, on the basis of what information and whose propaganda, have they come to this wild desire to leave the Soviet Union for a capitalist country fighting with the Arabs on behalf of foreign interests?

When They Come for Us We'll Be Gone
The Epic Struggle to Save Soviet Jewry.
By Gal Beckerman.
Houghton Mifflin Harcourt. 598 pp. $30.

The animating forces in the lives of Soviet Jews were indeed a puzzle. In the aggregate, Soviet Jews were spectacularly successful, outperforming all of the USSR's many ethnic groups, including Russians, whether the benchmark was higher education, residence in desirable urban centers like Moscow and Leningrad, entrance into prestigious occupations or prominence in high-status pursuits from filmmaking to physics. Yet behind hundreds of thousands of Jewish success stories loomed a collective loss of language and culture, a complex outcome of both self-Russification and suppression of the Jewish inheritance by the Soviet regime. By the middle of the twentieth century, moreover, what had been the world's first anti-anti-Semitic state, the country most responsible for crushing the Nazis, was engaged in its own state-sponsored persecution of those it branded "cosmopolitans" and "Zionists." By the time of Brezhnev's rise to power in the late 1960s, the USSR's affirmative action policies had caught up with the Jews, effectively putting a halt to, and in some cases reversing, their meteoric rise. Like its czarist predecessor, the Soviet government decided to limit Jewish access to institutions of higher education and white-collar professions—the major difference being that Soviet quotas were kept secret, thereby fueling rumors and uncertainty among a generation of Jews whose hopes of matching their parents' achievements were quickly fading.

In his wide-ranging and engagingly written first book, *When They Come for Us We'll Be Gone*, Gal Beckerman answers many of Brezhnev's and Dymshits's questions. The wild desire to leave the Soviet Union for Israel first emerged among Jews not in Moscow and Leningrad but in Riga, the capital of the Latvian Soviet Socialist Republic, one of the former czarist territories that had enjoyed a brief period of independence following the Russian Revolution, only to be re-annexed by the Soviet Union during World War II. In the early 1960s, with scarcely two decades under Soviet rule, Jews in Riga were far more likely to retain Yiddish or Hebrew and to be familiar with Jewish traditions than were their counterparts in Russia proper. If "Zionist propaganda" influenced them, it was in the form of texts left over from the interwar period by figures like the militant Zionist Revisionist Vladimir Jabotinsky.

More than any other event, it was the June 1967 war between Israel and its Arab neighbors—the latter using weapons supplied by their patron, the USSR—that cast into sharp relief the contradiction between Soviet and Jewish interests. Israel's dramatic victory in that war catalyzed a more assertive ethnic pride among Jews worldwide, not least in the Soviet Union. But the emergence there of a Jewish national movement was inescapably connected to longer-term trends within Soviet society. The intelligentsia of other ethnic groups, whether in Ukraine, Georgia or Lithuania, were starting to push back against Russification, even as nationalist Russian intellectuals were beginning to grumble about the Sovietizing (mostly by Jews, they claimed) of Russian culture. And like some of their counterparts in the broader dissident movement, more than a few of the early leaders of the Jewish national revival rebelled against a generation of fervent communist parents. For Vladimir Slepak, named in honor of Lenin, the turning point came when his father defended Stalin's assault on Jewish doctors. Decades later, when news of Slepak's decision to apply for an Israeli visa reached his father, the elderly Solomon Slepak, ever the old Bolshevik, declared his son an "enemy of the people."

Beckerman is equally interested in the American Jewish campaign to promote Soviet Jewish emigration and in the relationship across the cold war divide between two cohorts of Jews, many of whose grandparents had been neighbors in the shtetls of czarist Russia (indeed, Solomon

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Slepak had briefly immigrated to the United States before returning to Russia to answer the call of the revolution). One of the most striking features of the early activists on the American side was that their idealism was shaped by their own circumstances as much as by those of their distant cousins in the USSR, about whom they knew relatively little (not surprising, given the secretive nature of Soviet society). As the historian Peter Novick has noted, early appeals on behalf of oppressed Soviet Jews offered a valuable opportunity to dissociate Jews from communism in the public mind. They also provided a vicarious outlet for anxieties about declining religious observance among American Jews. Let Them Pray, declared one sign at a 1964 protest rally in front of the Soviet mission to the United Nations in New York, seemingly oblivious to the fact that the majority of Soviet Jews had no idea how to pray and probably no interest in doing so. The campaign for Soviet Jewry gave American Jews a moral cause all their own, something they increasingly sought as the rise of black power gradually pushed them to the margins of the civil rights movement. The struggle on behalf of Soviet Jews borrowed heavily from the repertory of '60s-era protest, including from the black power movement. By 1970 Meir Kahane, the thuggish leader of the Jewish Defense League, was sporting such clever slogans as Up Against the Wall, Mother Russia! while his followers would greet one another with the raised-fist black power salute.

The most powerful motive of all, Beckerman shows, was the desire to give substance to the post-Holocaust mantra "Never again," a chance at expiation for those torn by guilt over American Jewry's inaction while the Nazis slaughtered 6 million of their co-religionists in Europe. As the theologian and civil rights activist Abraham Joshua Heschel put it in 1963, "The six million are no more. Now three million face spiritual extinction." It was this moral imperative that eventually brought together the hitherto overly cautious American Jewish establishment and grassroots activists in a remarkably coordinated public campaign. At its peak, the Union of Councils for Soviet Jews could claim 50,000 members across the country and the ability to attract a quarter of a million supporters to rallies in Washington and New York. Person-to-person techniques like phone calls between American and Soviet Jews and visits by Jewish tourists to the Soviet Union—both made easier by the declining cost of global communication—had a profound impact on thousands of citizens. "One conversation with a Jew in the Soviet Union who described the hardship of his life," writes Beckerman, "made an abstract issue exceedingly real. Heard over a crackling wire, an Old World Russian accent—which might remind an American Jew of his grandfather—did more for the cause than any policy paper or rally." By the mid-'70s, Soviet Jewish emigration was front-page news, a central theme of the cold war and the emerging global rhetoric of human rights. Even Emily Litella, the frumpy editorialist immortalized by Gilda Radner on *Saturday Night Live*, wanted to know: "What's all this fuss I hear about saving Soviet jewelry?" Brezhnev could relate.

Shifting the mise-en-scène back and forth between the United States and the USSR in almost cinematic fashion, Beckerman shows himself to be an artful practitioner of what academic historians call the "new international history," an approach that emphasizes transnational movements and institutions operating above and below the state-to-state relations that are the stuff of traditional diplomatic history. *When They Come for Us We'll Be Gone* demonstrates how fruitful such an approach can be for Jewish history, in which a transnational diaspora is a near constant. The two communities of Jewish activists, American and Soviet, learned a good deal from each other. Refuseniks—those who had applied and been turned down for permission to leave the USSR—learned to stage sit-ins while wearing yellow Stars of David, a media-savvy technique previously unheard of in the Soviet setting. American Jews learned how porous the USSR was behind the fortress-like facade and regularly smuggled books, letters, ritual objects and Jewish *samizdat* in and out of the country. Both sides were coming to appreciate how inept the Soviet regime was in matters of public relations—a skill rarely mastered by those obsessed with the cultivation of secrecy—and how vital public relations were to a struggle that came to be cast in the language of human rights. As Brezhnev put it to his Politburo comrades, "Zionism is making fools of us."

BEIT HATFUTSOT PHOTO ARCHIVE
A 1969 poster by Israeli artist Dan Reisinger

Beckerman tends to tiptoe around some of the deeper moral and political questions that surface in his account, preferring to present things through the eyes of his protagonists. Was the analogy, for example, between the plight of Soviet Jewry and the fate of Jews under Nazi rule accurate? There can be little doubt about the Holocaust's potency as a mobilizing device, at least in the West. Yet one wonders whether its deployment in this case was symptomatic of a monolithic imagination—the same kind of imagination that insisted that Yasir Arafat was another Hitler (and therefore that talks of any kind with the PLO were unthinkable) and that the slightest willingness to negotiate with Moscow was a form of appeasement with inevitable Munich-like results. The issue is not whether it was a good thing to secure Soviet Jews' freedom to exit the USSR; that seems unassailable and should apply to all citizens of all countries. What is worth debating, however, is whether it required nothing less than the specter of the Holocaust to bring people to action on their behalf.

The central political event of Beckerman's narrative is the Jackson-Vanik Amendment, a provision attached to the 1974 United States Trade Act that denied most-favored-nation trading status (and the access to financial credits that goes with it) to "non-market"—that is, socialist—countries that restricted the emigration of their citizens. It was designed specifically to pressure Moscow to allow Jews and other oppressed minorities to leave the Soviet Union, and thus represented a direct assault on the carefully constructed scaffolding of détente, which was premised—at least in Nixon and Kissinger's version of it—on noninterference in the other side's domestic affairs. Enormous historical significance has been attached to Jackson-Vanik. It has been described as a decisive incursion by Congress into the executive branch's near monopoly on the making of foreign policy; as the first major example of American legislation putting universal human rights into practice through the technique of "linkage" (that

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is, linking relations with foreign countries to those countries' human rights records); as a catalyst of a dramatically more assertive stance by the American Jewish leadership (i.e., "the Jewish lobby"); and not least, as a "brilliant" (Beckerman's verdict) device that ultimately enabled the exodus of some 1.5 million Soviet Jews.

Remarkably, although one has to look hard to find a nonmarket economy these days, Jackson-Vanik remains in force and continues to be a source of friction in US-Russian relations. But perhaps its most powerful legacy is its influence on the lessons we draw from the American-Soviet rivalry during the cold war and the way we apply those lessons to efforts to alter the behavior of hostile states today. For it has become widely accepted orthodoxy that Jackson-Vanik worked. More than a quarter-century after the amendment's passage, a "Jackson-Vanik and Russia Fact Sheet" released by the Bush II White House declared that the amendment "has been an extraordinary success in securing freedom of emigration in the Soviet Union and its successor states." But was it?

When it was proposed by Washington Senator Henry "Scoop" Jackson and Ohio Congressman Charles Vanik, Jackson-Vanik was intended to pressure the Kremlin to change two policies. The first was the recently announced "diploma tax," according to which would-be emigrants were required to pay exorbitant sums allegedly to compensate the Soviet state for the free education they had received (a holder of a PhD was obliged to pay as much as seven times the typical scientist's annual salary). The KGB's secret reports tracking applications for exit visas regularly noted the number of applicants with advanced degrees. One such report informed Brezhnev and the Soviet leadership that while Jews constituted less than 1 percent of the total Soviet population, "Among Jews the percentage of individuals with higher education is nine times greater than among Russians, twelve times greater than among Ukrainians and seventeen times greater than among Belorussians.... In terms of absolute numbers of people employed in scholarship and research, Jews occupy third place, after Russians and Ukrainians. Among those with PhDs they occupy second place, after Russians." Of course, substantial emigration by any segment of the Soviet population, educated or not, represented an unacceptable verdict on the great socialist utopia and carried the risk of a snowball effect on other disaffected groups. In the Jewish case, it was the specter of a massive brain drain, far more than the publicly stated concern about permitting emigration by individuals who had had access to military or state secrets, that heightened Kremlin sensitivities. An international outcry greeted the imposition of the diploma tax, which in effect turned university graduates who sought to emigrate into hostages of the state. Transcripts of Politburo discussions suggest that Jackson-Vanik deserves the lion's share of credit for persuading the Kremlin to waive the tax—which it did, quietly, in an effort to stall the amendment before it was approved by Congress.

Brezhnev was not about to let Soviet emigration policy be dictated by the United States.

The second and larger policy that Jackson-Vanik sought to change was the severe restriction on emigration itself. Here the available evidence—as journalist J.J. Goldberg and economist Marshall Goldman have trenchantly argued—suggests very different results. To his credit, Beckerman acknowledges that Soviet leaders, ever sensitive to perceptions of weakness, felt humiliated by Jackson's public gloating over his success in getting them to waive the diploma tax. Brezhnev was not about to let Soviet emigration policy be dictated, much less visibly dictated, by the United States. And so by the time Jackson-Vanik became law in 1974, Moscow had already pulled out of the trade agreement negotiated by Nixon and Kissinger. Jackson was left to chew on the carrot he had dangled in front of the Kremlin. From permitting a record high of 34,733 Jews to leave in 1973, the Soviet Union sharply reduced the number to 20,767 in 1974 and then further lowered it to 13,363 in 1975. Not until the end of the decade did the numbers begin to approach and then briefly surpass the previous peak (51,331 Jews were permitted to leave in 1979). But this had little to do with Jackson-Vanik: Brezhnev was trying to curry favor in the hope that Congress would ratify the SALT II arms control treaty. When SALT II tanked (and when Jimmy Carter responded to the December 1979 Soviet invasion of Afghanistan with a robust arms buildup), Jewish emigration plummeted: to 9,448 in 1981, to 1,314 in 1983 and to a post-Jackson-Vanik low of 896 in 1984.

That was the year I first set foot in the Soviet Union. There I met the Lazars, a Moscow refusenik family of three. As they explained over tea and black bread in their tiny apartment, both parents had been dismissed from their jobs immediately after applying for visas two years earlier, and they were at risk of being arrested for the crime of parasitism (i.e., unemployment, which was illegal under Soviet law). Their 15-year-old daughter had lost any chance of getting into a university. All their hopes were pinned on emigrating, but they had no idea whether permission would be granted in another two years, or five, or ten. Or never.

Mikhail Gorbachev's perestroika changed all that. In 1989 a record 71,005 Jews departed from the Soviet Union—among them the Lazars, who settled in Los Angeles, where their daughter eventually became a model. During the 1990s the annual number of emigrants soared to between 80,000 and 210,000. Although he acknowledges the short-term failure of Jackson-Vanik to promote Jewish emigration, in the end Beckerman seems unable to resist the triumphant narrative according to which it helped liberate more than a million Soviet Jews. In fact, the enormous exodus of the 1990s was made possible above all by the emancipation of Soviet society under Gorbachev, the economic free fall that ensued and the overtly anti-Semitic rhetoric that welled up following the lifting of censorship, producing what was then widely referred to as the "Weimar syndrome" (must every historical analogy involve Nazis?). Beckerman praises "linkage" as "a giant behavioral-conditioning project. There would be positive reinforcement for releasing Jews and negative reinforcement for treating them poorly." But neither Brezhnev nor Gorbachev was prepared to have the Soviet Union play laboratory mouse for American rational-choice theorists dressed in white coats. Linkage, when practiced between superpowers, was a two-way leash. It could just as easily encourage Moscow to do something Washington didn't like, in order to then offer to stop doing it in return for a "linked" concession.

What is probably the last mass exodus of Jews from the European continent carried the likes of Google co-founder Sergey Brin and novelist Gary Shteyngart to the United States, as well as politicians like Yuli Edelshtein, Natan Sharansky and Avigdor Lieberman and singer-songwriter Arkadii Dukhin to Israel, where the flood of "Russians" has changed the face of Israeli society. But that is a subject for another book. ■

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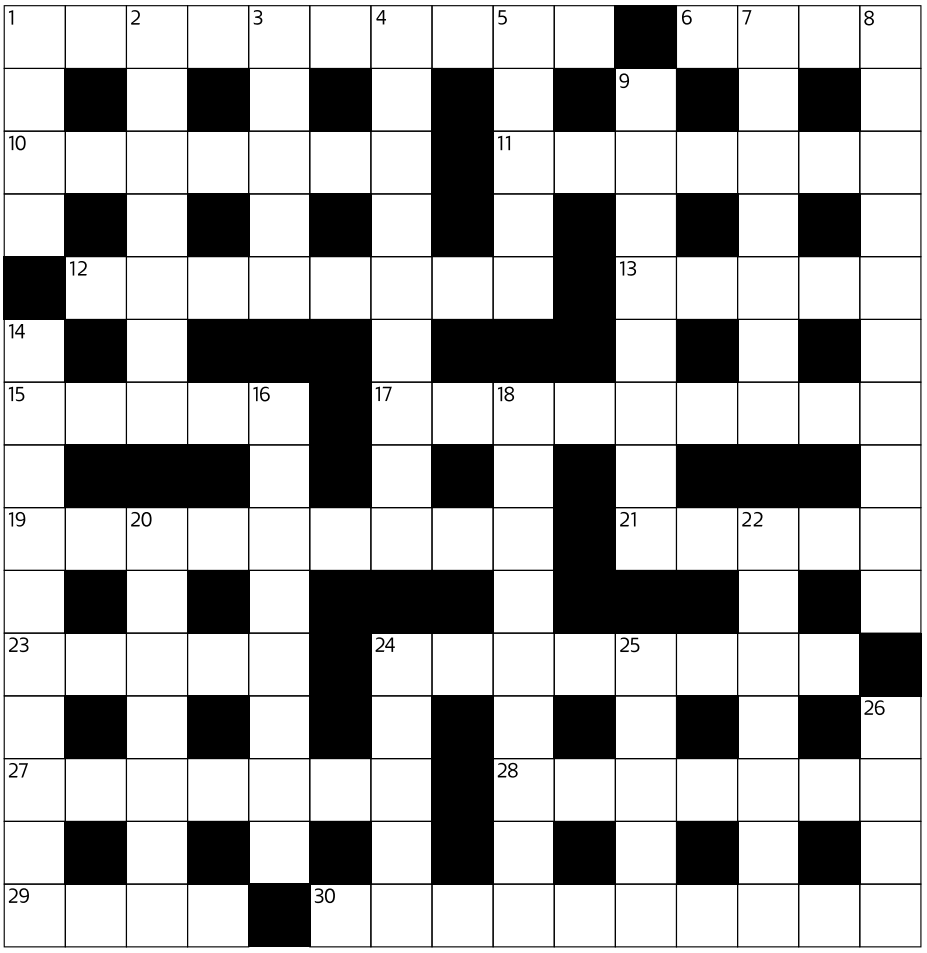

ACROSS

1 and **6** How many juntas work, ordinarily? (2,1,7,4)

10 In the smartest rig, Germans show how to set things off, possibly. (7)

11 When the musicians are surrounded, they might have to, with this to show it's official. (7)

12 and **13** In the circus, it's the horse that is first, but the second might be occasionally first. (8,5)

15 Shaken with anger, at times. (5)

17 Understand, it's on the shelf—but you might acquire it with study. (9)

19 When a serious discussion of a play might take place. (2,1,6)

21 Sounds a bit divine. (5)

23 Possibly a branch of society frequented by such as 24 across. (5)

24 Sham coin, perhaps, the last of which would be novel. (8)

27 Pertaining to a famous flower of Egypt. (7)

28 How to give notice of a very quiet get-up. (7)

29 and **30** It's simple to study a branch of 17, reputedly giving you no trouble with the rest. (4,10)

DOWN

1 and **14** Integral parts of a play such as "Mayhem"? (4,2,8)

2 What entered the Ark? Not a single one of them! (7)

3 Such a flyer is quite a bit below par. (5)

4 Tagged as being part of the listening equipment. (9)

5 and **20** The old moan of absence and almost a miss? (5,3,4)

7 There's no help for one who is. (7)

8 The kind of wine served in *Arsenic and Old Lace*. (10)

9 Sarah Gamp's protector. (8)

14 See 1 down

16 Poker game having tens wild, for those trying to get 17. (8)

18 All is not well if the engine does, if you'll arrange to save other components. (9)

20 See 5 down

22 A common man in a setting of blue that is reddish. (7)

24 Port associated with Portugal, returned in the Balboa campaign. (5)

25 If this place grew corn, it might be a good sign. (5)

26 It might determine the characteristics of such as McCarthy. (4)

This puzzle originally appeared in the November 29, 1975, issue.

SOLUTION TO PUZZLE NO. 1608

D	E	A	D	A	S	A	D	O	O	R	N	A	I	L
I		B		C		X		N		O		L		O
A	P	E	L	I	K	E		S	W	A	L	L	O	W
C		T		D		S		C		S		T		E
R	O	T	A	T	E		W	H	I	T	T	I	E	R
I		E		E		B		E		S		M		O
T	H	R	E	S	H	O	L	D	S		L	E	A	N
I				T		L		U		L				E
C	A	S	H		A	D	U	L	T	E	R	E	R	S
A		C		K		R		E		V		V		S
L	I	O	N	I	Z	E	D		S	E	S	E	L	I
M		U		M		L		A		L		L		G
A	P	R	I	O	R	I		S	W	I	N	I	S	H
R		G		N		E		C		N		N		T
K	E	E	P	O	F	F	T	H	E	G	R	A	S	S

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